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(SCOTTISH RECORD SOCIETY.
no. 55)

CALENDAR OF WRITS

PRESERVED AT

YESTER HOUSE

1166–1625

COMPILED BY

CHARLES C. H. HARVEY

AND

JOHN MACLEOD.

352560
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PREFACE.

THE Writs from which this Calendar is compiled are preserved at Yester House, and the Society is indebted to the Marquis of Tweeddale for permission to use them for this purpose. The work of preparing the Calendar was begun in 1910 at the instigation of Mr. Charles C. H. Harvey, who worked on the earlier part with the valuable assistance of Dr. George Neilson. Owing to the death of Mr. Harvey from wounds received in the great war, and since of Dr. Neilson, the Council of the Society invited me to complete the work for the press as I had collaborated with Mr. Harvey from its inception.

Originally it was designed to bring the Calendar down to 1750, but the Council have decided meantime to stop at 1625. The later portion, mostly now in typescript, may be printed at some future date.

J. MACLEOD.

ERRATA.

Delete on 6th line from foot of page 3 repitition of words from "illam" to "terram."

On page 4, 5th line from top, for "Ranulphe" read "Ranulpho."

Line 30 from top on page 5, for "(*sec*)" read "(*sic*)."

Line 9, page 6, for "honore" read "honere," and on 12th line for "permissa" read "premissa."

Line 12 from foot of page 7, for "susentacionem" read "sustentacionem."

Page 9, No. 15, for "30th July" read "12th November," and on 3rd line, for "MDCCL" read "MCCL."

In translation of No. 15, for "Moffat" read "Mowat."

In No. 16, page 10, on 13th line from end read "umquam" for "uniquam."

No. 20, insert "12th" as day of the month.

No. 24, line 19, for "quarumquam" read "quacunque."

No. 26, insert "18th May" for date.

Page 21, 14 lines from top, at end delete "un."

Page 26, on 6th line, for "patere" read "preter."

Page 27, for first word on page read "petatur tantum."

Page 30, 19th line from top, read "alicui" for "Aliam."

Page 31, 4th line from top, for "publica" read "publici."

Page 32, No. 36, on 3rd and 11th line from foot, for "assuerit" read "asseruit."

Page 33, 17th line from top, for "quontum" read "quantum," and on 22nd line, for "Amonemus" read "amovemus."

Page 35, 7th line from foot, for "quosque" read "qousque."

Calendar of Writs Preserved at Yester House.

1. 1166–1171. Willelmus · Rex Scottorum · Omnibus probis · hominibus tocius terre sue · Clericis · laicis · Francis · et Anglis · Scottis · et Galweiensibus salutem · Sciant presentes et futuri · me concessisse · et hac carta mea confirmasse hugoni Giffard · et heredibus suis · in fewdo et hereditate · omnes terras et teneuras quas idem hugo habet ex donacione Regis Malcolmi · fratris mei · et Ade Comitisse · matris mee · et Herberti Camerarij · scilicet Jhestrith per Rectas diuisas suas · et illam partem de lafditune · quam Edolf filius Ginel tenuit · et terram more de hadingtun per diuisas per quas ei perambulata · et unum plenarium toftum in linlidqu · scilicet toftum quod toke tenuit · Et Berewaldestune per Rectas diuisas suas quam herbertus Camerarius cum filia sua ei dedit · Et quatuor libratas terre in pottum sicut Walterus de lindesi · et Engelramus clericus illas ei perambulauerunt · et Aldekathin per rectas diuisas suas · Volo itaque et precipio · ut idem hugo et heredes sui terras · et teneuras prenominatas hereditarie teneant et habeant · ita libere · et quiete et honorifice · sicut Carte Regis · Malcolmi · fratris mei · et Ade Comitisse matris mee et · Herberti · Camerarij · testantur · et confirmant · Testibus Nicolao Cancellario · Richardo de Morevilla constabulario Dauid Olifar · Willelmo de ŭesci · philippo de ŭaloniis Camerario · Willelmo de ŭeteri ponte · Bernardo filio brien Gileberto filio Richerij. Roberto de Costentin · Apud Dunelmum. (*H. and N.*)

Fragment of the Great Seal appended, in bad condition; white wax varnished? brown, equestrian side to front.

TRANSLATION.

William, King of Scots, to All good men of his whole land, clerics and laymen, French and English, Scots and Galwegians, Greeting. Be it known to those present and to come, that I have granted, and by this my charter confirmed to Hugh Giffard and his heirs in fee and heritage all the lands and holdings, which the said Hugo holds by grant from King Malcolm, my brother, and Ada the Countess, my mother, and Herbert the Chamberlain, namely, Jhestrith by its right marches, and that part of Lafditune, which Edolf son of Ginel held, and the land of the moor of Hadingtun by the marches, which were perambulated for him, and a full toft in Linlidqu, namely, the toft which Toke held, and Berewaldestune by its right marches, which Herbert the Chamberlain gave to him with his daughter, And four pounds of land in Pottum, as perambulated by Walter de Lindesi and Engelram the clerk, and Aldekathin by its right marches. I will therefore and charge that the said Hugh and his heirs do hold and have in heritage the above-named lands and holdings, as freely, quietly, and honourably as the Charters of King Malcolm, my brother, and Ada the Countess, my mother, and Herbert the Chamberlain do testify and confirm. Witnesses, Nicholas the Chancellor (*and others, as above*). At Durham. (*H.*)

2 and **3.** 1166–1182. Willelmus · [dei gracia] Rex Scottorum · Omnibus probis hominibus tocius terre sue clericis et laicis · salutem. Sciant presentes · et futuri · hugonem [Eggv] filium hugonis peticione sua coram

probis hominibus meis in curia mea reddidisse mihi Ghiestrith [Jhestrid] quam Gamel tenuerat · et eiusdem hugonis [Eggv] peticione me terram illam dedisse · et concessisse · et hac carta mea confirmasse hugoni Giffard per easdem diuisas per quas Gamel illam terram tenuerat · tenendum sibi · et heredibus suis · de me · et de heredibus meis in feudo et hereditate · In bosco et plano · In pratis et pascuis · et aquis · et omnibus [aliis] iustis pertinencijs suis · libere · et quiete · et honorifice · faciendo inde mihi · et heredibus meis · quintam partem seruicij unius militis · Et ego hugonem [Eggv] filium hugonis et heredes suos · de me · et de heredibus meis · quietos clamaui · de · xxj [viginti et j] · solidis · et iiij [quatuor] · denarijs · quos ipsi annuatim de terra illa mihi · et heredibus meis · persoluere debebant · Testibus Comite · Waldeuo · Ricardo capellano · willelmo de lindesi · Willelmo de ueteri ponte · Willelmo de haia Patricio filio comitis · Gileberto de unframuilla · Willelmo de Mortemer [Mortuo mari] Wakelino de Mortemer [Mortuo mari] · Apud lanarc. (*H. and N.*)

This charter is in duplicate, and both copies have been sealed. No. 1 is written in the "Book Hand" of the time, and No. 2, from which the variations, in brackets, are given, is in the "Cursive Hand."

TRANSLATION.

William, King of Scots, to All worthy men of his whole land, clerics and laymen, Greeting. Be it known to those present and to come that Hugh Fitz Hugh on his own petition before my good men in my court resigned to me Ghiestrith, which Gamel had held, and that I upon the petition of the said Hugh have given and granted and by this my charter confirmed that land to Hugh Giffard by the same bounds as Gamel had held it: To be held to himself and his heirs of me and my heirs in fee and heritage, in wood and plain, in meadows and pastures, and waters, and all its just appurtenances, freely, quietly, and honourably: doing for it the fifth part of a knight's service to me and my heirs:

And I have quit claimed, for me and my heirs, Hugh Fitz Hugh and his heirs of 21 shillings and 4 pence which they are bound to pay yearly to me and my heirs for that land. Witnesses, Earl Waldeve (*and others, as above*). At Lanarc. (*H.*)

4. 1178–c. 1190. Dauid Comes huntenden frater Regis scottorum · Omnibus hominibus et amicis suis francis et anglis scotis et Galwalensibus clericis et laicis salutem · Sciant presentes et futuri me dedisse et concessisse et hac Carta mea Confirmasse hugoni Giffard fintre per suas Rectas diuisas · cum omnibus Natiuis eiusdem terre · in aumento alterius feodi sui quod ei antea dederam · Tenendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate · libere et quiete plenarie et honorifice · in bosco et plano in pratis et pascuis in Moris et Caciis in aquis et stagnis et Molendinis · Cum socke et sacke et tol et tem et infangenthef cum fossa et furcis · et cum omnibus aliis Rectitudinibus et consuetudinibus ad eam iuste pertinentibus · Quare volo ut ipse hugo et heredes sui teneant et possideant hanc prenominatam terram fintre cum alio feodo suo quod de me tenet · ita libere et quiete plenarie et honorifice · sicut ille militum qui melius liberius quietius plenarius aut honorificentius feodum suum tenet et possidet · faciendo mihi et heredibus meis de hoc feodo et de alio feodo · quod ei antea dederam seruicium dimidii militis · Testibus Seiero de tenes constabulario meo · hugone burdet · Willelmo filio emme · Alano filio hugonis · Jordano Ridel · Willelmo de sancto michaele · Roberto clerico meo · (*H. and N.*)

First (non-armorial) equestrian seal of the Earl (chipped) appended by silk cords.

TRANSLATION.

David, Earl of Huntingdon, brother of the King of Scots, To all men and his friends, French and English, Scots and Galwegians, clerics and laymen, Greeting: Be it known to those present and to come that I have given and

granted, and by this my charter confirmed to Hugh Giffard Fintre by its right bounds, with all the naifs of that land, in augmentation of another feof of his which I gave him before: To be held by him and his heirs of me and my heirs in fee and heritage, freely and quietly, fully and honourably, in wood and plain, meadow and pasture, moor and chace, waters stanks and mills, with soc and sac, tol and them, and infangenthef, with pit and gallows, and with all other rights and customs justly belonging to it: Wherefore I will that the said Hugh and his heirs may hold and have the foresaid land of Fintre with his other feof, which he holds of me, as freely and quietly, fully and honourably as any other knight holds and has his feof: Rendering unto me and my heirs for this and the other feof, given to him before, half a knight's service: Witness, *etc.* (*H.*)

5. 1188–1199. Villelmus · dej gracia Rex Scottorum Omnibus probis Hominibus Tocius terre sue clericis et Laicis Salutem · Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Willelmo Giffard unum plenarium toftum In burgo meo de foreis · et unum plenarium toftum apud Inuerculan · et unum plenarium toftum apud Banef · et unum plenarium toftum apud Kintor · et unum plenarium toftum apud Inuertollin · et unum plenarium toftum apud kincardin · et unum plenarium toftum apud castellum de Alith · et unum plenarium toftum apud Clunin · Scilicet tofta illa de quibus vicecomites mei ipsum precepto meo saisierunt · Tenendum Sibi et heredibus suis de me et heredibus meis In feudo et hereditate Ita libere et quiete plenarie et honorifice sicut alii Barones mei tofta sua In illis et aliis burgis meis liberius quietius plenarius et honorificencius tenent · Testibus · Hugone Cancellario meo · Philippo de valoniis Camerario · Willelmo de haia · Johanne de hastings · Rogero de mortuomari · Vmfrido de Berkelai · Apud Alith secundo die marcij. (*H. and N.*)

TRANSLATION.

William, by the grace of God, King of Scots, to All good men of his whole land, clerics and laymen, Greeting: Be it known to those present and to come that I have given and granted and by this my charter confirmed to William Giffard a full toft in my burgh of Foreis; and a full toft at Inverculan; and a full toft at Banef; and a full toft at Kintor; and a full toft at Invertollin; and a full toft at Kincardin; and a full toft at the castle of Alith; and a full toft at Clunin, namely these tofts in which my sheriffs at my precept seized him: To be held by himself and his heirs of me and my heirs in fee and heritage as freely, quietly, fully, and honourably as my other Barons hold their tofts, in these and other burghs: Witnesses, *etc.* (*as above*): At Alith the second day of March.

Note—When this charter was first examined in 1910 a fragment of the Great Seal was found in the folds of the parchment, and other fragments lying beside it. After piecing these together and examining the tag it was found that they were parts of the seal formerly attached, and have been re-appended. Like No. 8, the seal is hung the opposite way from that of No. 1 with the enthroned effigy to the front. The obverse is pale red and the reverse green wax. (*H.*)

6. 1195–1199. Willelmus · dei gracia Rex Scottorum · Episcopis · Abbatibus · Comitibus · Baronibus · Justiciis · vice comitibus · Prepositis · Ministris · et Omnibus probis hominibus tocius terre sue clericis et laicis Salutem Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse · Willelmo Giffard filio Hugonis · Giffard Thelin per rectas diuisas suas et cum omnibus Justis pertinenciis suis · et Polgauethin per rectas diuisas suas per quas Ferthnauh terram illam tenuit et cum omnibus aliis ad predictam terram illam tenuit et cum omnibus aliis ad predictam terram juste pertinentibus · Tenendam sibi et heredibus suis de me et heredibus meis In feudo et hereditate in bosco et plano In terris et aquis In pratis et pascuis In Moris et maresiis · In piscariis et scalingis In stagnis et Molendinis · Omnibus aliis ad predictas terras Juste pertinentibus cum furca et fossa Cum socca et sacca cum tol et them · et In fanenthef Ita libere et Quiete Plenarie et

honorifice sicut alii Barones mei terras et feuda sua liberius quietius plenius et honorificencius de me tenent · faciendo de predictis terris seruicium unius Militis · Testibus Reginaldo Rosensi Episcopo · Comite Dunecano Justiciario · Roberto de Quinci · Philippo de valoniis Camerario · Willelmo Cumin · Johanne de Hastingis · Willelmo de haia · Ranulphe de Soulis · vmfrido de Berkeley · Rogero de Mortemer · Philippo de Lundin · Waltero Murdac · Rogero de la Kerlieil · Hugone clerico de Sigillo apud Munros primo die septembris. *See also Fraser's Book of Caerlaverock, where this charter is reproduced in facsimile and transcribed.* (*H.*)

TRANSLATION.

William, by the grace of God, King of Scots To the Bishops, Abbots, Earls, Barons, Justiciars, Sheriffs, Bailiffs, Ministers, and all good men of his whole land, clerics and laymen, Greeting: Be it known to those present and to come that I have given and granted, and by this my charter confirmed to William Giffard, son of Hugh Giffard, Thelin by its right bounds and with all its just pertinents; and Polgavethin by its right bounds by which Ferthnauh held that land, and with all others he held with that land, and all justly pertaining thereto: To be held by him and his heirs of me and my heirs in fee and heritage, in wood and plain, lands and waters, meadows and pastures, moors and marshes, fishings and sheilings, stanks and mills, and everything else justly pertaining thereto, with pit and gallows, soc and sac, tol and them and infangenthef, as freely and quietly, fully and honourably as my other Barons hold their lands and feofs of me: Rendering for the foresaid lands the service of a knight: Witnesses, *etc.* (*H.*)

7. 1198 1202. Omnibus Sancte matris Ecclesie filiis · Rogerus dei gracia Ecclesie Sancti Andree Humilis Minister · Salutem et Benedictionem · Nouerit uniuersitas uestra nos dedisse · et concessisse · et hac Carta nostra confirmasse · donationem illam · Quam Dauid de line fecit deo · et Ecclesie sancti Kentegerni de lohwerwet · de una acra terre · et de una particata iuxta aquam currentem sub pomerio eiusdem Ecclesie pro escambio illius terre · Quam Rex Dauid dedit prenominate Ecclesie · pro masagio suo · ubi domus sue site fuerunt · tenenda in puram · et perpetuam elemosinam cum communi pastura extra bladum · et pratum ita libere · et Quiete · plenarie · et honorifice · Sicut Carta predicti Dauid de line testatur · Hiis testibus Comite Dauid fratre Regis Willemi Scottorum · Patricio Comite de dunbar · Roberto de londoneis · filio Regis Scottorum · willelmo archidiacono de laodonie · Magistro Ranulfo officiali · Magistro Johanne de legr · Magistro willelmo de hales · Marchisio de Aubini · Waltero de Windelsoures · Andrea decano laodonie · Galfrido de Cranforde · Radulfo Costein · Johanne de londoneis · Ricardo de legr. (*H. and N.*)

TRANSLATION.

To all the sons of Holy Mother Church Roger, by the grace of God, humble Minister of the Kirk of S. Andrew Greeting and Blessing: Wit ye that we have given and granted and by this our charter confirmed that gift which David de Line made to God and the Kirk of S. Kentegern of Lohwerwet of an acre of land and of a particate of land near the burn below the orchard of the said Kirk in exchange for that land, which King David gave to the foresaid Kirk, to be his messuage where his houses were built: To be held in pure and perpetual alms with common pasturage without the cornfield and meadow as freely, quietly, fully, and honourably as the charter of the said David de Line testifies: Witnesses, *etc.* (*H.*)

8. 1202 1207. Willelmus · dei gracia Rex Scottorum · Episcopis · Abbatibus · Comitibus · Baronibus · Justiciis · Vice-comitibus · Prepositis · ministris et omnibus probis Hominibus Tocius terre sue · Clericis et laicis · Salutem · Sciant presentes et futuri · me dedisse et concessisse et Hac carta mea confirmasse · Willelmo filio Hugonis · Giffard et heredibus suis · Jhestrid

· per Rectas diuisas suas · in boscho et plano · in terris et aquis · in pratis et pascuis · in molendinis in (vi)is et semitis · et cum Omnibus ad predictam terram iuste pertinentibus —— —— um meum —— idem Willelmus · et heredes ipsius et Homines —— ad Jhestride —— habebunt sibi —— rorum et ad ignem eorum et pasturam —— sicut hugo (*pater*) eiusdem Willelmi eam tenuit tempore Ade Comitisse matris mee · et tempore meo · Et totam Lefditonam plenarie per rectas diuisas suas · illam scilicet · partem · quam Radulphus · de Boseuiela · tenuit · et illam partem · quam willelmus de Belencumber tenuit · Et terram illam (*scilicet?*) Ginam · per diuisas terre Ecclesie de Hadintune · et per diuisas supradicte Lefditiene · et per diuisas terre Godefridi · marescalli · quam accepit cum uxore sua et per diuisas terre monealium usque · ad viam que uenit de Berewico · et tendit ad pontem · Et illam Jhestrid · quam Gamell tenuit · per easdem rectas diuisas · per quas Gamell eam tenuit · et cum Omnibus iustis pertinentiis suis · Quam Jhestrid Eggu qui terram illam ad firmam tenuit · mihi quietam clamauit coram probis Hominibus meis in curia mea · Et preterea in burgo de Karel illud plenarium Toftum · quod Arnaldus Riglepeni primitus edificauit usque ad mare · cum edificiis Ricardi fratris · et Dauid · presbyteri · et (v) skil · de petnewem · et unum Toftum in Hadintune · Quare volo ut predictus Willelmus et heredes sui has predictas terras et tenuras teneant de me et heredibus meis in feudo et hereditate · per Rectas diuisas predictarum terrarum · et cum Omnibus ad predictas terras iuste pertinentibus · in boscho et plano · in terris et aquis · in pratis et pascuis · in moris et marresiis · in stagnis et molendinis · et cum Omnibus Natiuis earumdem terrarum ubicumque in tota terra mea extra dominia mea (inventi) fuerint cum furca et fossa · cum socca et sacca · cum Tol et Them · Infangenethef · Libere et Quiete · Plenarie et Honorifice · per seruicium unius militis Testibus Florentio · Electo Glasguensi · Cancellario meo · Eustacio de vescy · Roberto de Ros · Roberto de londoniis · filio meo · Philippo de valoniis camerario meo · Philippo de Mubray · Engeramo de Baillol · Henrico filio · Comitis Dauid · Alexandro · filio Tho (sec) Dauid marescallo Philippo de lundiniis Ricardo Reuol · Simone · fraser · Ade Hasteng · Apud Traueqer · vij die maij · (*H. and N.*)

Fragment of Seal appended ; pale red wax, enthroned effigy to front.

TRANSLATION.

William, by the grace of God, king of Scots To the Bishops, Abbots, Earls, Barons, Sheriffs, Bailiffs, Ministers, and all good men of his whole land, cleric and lay, Greeting : Be it known to those present and to come that I have given and granted and by this my charter confirmed to William Fitzhugh Giffard and his heirs Jhestrid by its right bounds in wood and plain, lands and waters, meadows and pastures, mills, roads and paths, and all justly pertaining to the foresaid land —— —— my —— the said William and his heirs and the men (dwelling ?) at Jhestrid —— —— shall have for him and them and for their fire and pasture —— —— as Hugh (father) of the said William held it in the days of my mother, Ada the Countess, and my time : And all Lefditona fully by its right bounds, namely that part which Ralph de Bosville held and that part which William de Belencumber held : And that land —— —— Gina by the bounds of the Kirkland of Hadintun, the bounds of the foresaid Lefditien, the bounds of the land of Godefrid the Marshal which he received with his wife, and the bounds of the Nun's land up to the road from Berewic leading to the bridge : And that Jhestrid which Gamell held by the bounds, by which Gamell held it, and all its rightful pertinents, which Jhestrid Eggu who held it in farm quit-claimed to me before my good men in my court ; and besides in the burgh of Karel that full Toft, which Arnald Riglepeni first made as far as the sea with the buildings of Richard his brother (*or the Monk ?*), David the priest, and Uskil of Petnewem ; and a Toft in Hadintun : Wherefore I will that the foresaid William and his heirs may hold these foresaid lands and tenandries of me and my heirs in fee and heritage by their right bounds and all justly pertaining thereto, in wood and plain, lands and waters, meadows and pastures, moors and marshes, stanks and mills, with all the naifs of these lands wherever

they will be found in all my land beyond my demesne, with pit and gallows, soc and sac, tol and them, and infangenthef, freely and quietly, fully and honourably, for the service of one knight : Witnesses, *etc.* (*H. and N.*)

9. 1202–1234. Omnibus Christi fidelibus presentes litteras uisuris uel audituris · Willelmus permissione diuina Ecclesie sancti Andree minister Humilis · Eternam in domino Salutem · Noueritis nos Ecclesiam de Ketenes quam deo et hospitali de Ponte de Berewic divine pietatis intuitu contulimus ad sustentationem infirmorum ibidem commorantium in perpetuum quantum ad nos et successores nostros spectare dinoscitur · ab honore procurationis absoluisse · salũo Jure Archidiaconi · Volimus etiam ut decanus de Mereskis qui pro tempore fuerit · manifestos detentores rerum et reddituum ad dictum Hospitale pertinenecium · ad solutionem trina admonitione permissa per censuram ecclesiasticam compellat. Concedimus insuper ut liceat magistro dicti hospitalis pulsatis campanis divina celebrare · oblationes et elemosinas recipere · Saluo mattris ecclesie Jure parochiali · Testibus Magistro Alexandro de Sancto Martino · Magistro Hugone de Meleburn · Magistro Dauid · Magistro Gilisio · Symone Capellano nostro · et multis aliis. (*H. and N.*)

TRANSLATION.

To all the faithful in Christ who see or hear these present letters William, by divine permission, humble Minister of the Kirk of Saint Andrew Greeting in the Lord everlasting : Wit ye that we, moved by divine piety, have freed the Kirk of Ketenes, granted by us to God and the Hospital at the Bridge of Berewic for the perpetual sustentation of the infirm dwelling there from the burden of procurations, so far as pertaining to us and our successors, saving the right of the Archdeacon : Also we will that the Dean of Mereskis for the time being will compel by ecclesiastical censure, after the third warning, manifest detainers of profits and rents pertaining to the said Hospital : We further grant licence to the Master of the said Hospital to celebrate divine service with ringing of bells and to receive oblations and alms, reserving to Mother Church the parochial right : Witnesses, *etc.* (*H.*)

10. 1214–1216. *Extract Decreet of Lords of Council*, 25 *May* 1542, q.v., *transuming the following Charter :* Alexander Dei gratia Rex Scotorum . . Omnibus probis hominibus totius terre sue salutem Sciatis quod nos ad petitionem abbatis et monachorum de Arbroth Concessimus Richardo de moravia Ut Ipse et heredes sui in terra Illa quam Idem richardus De eisdem abbate et monachis tenet Inter auchtar et caledouer in valle de cloud in liberam curiam et sectam habeant sicut predicti abbas et monachi liberam curiam et sectam habent in terris suis quas tenent in scotia salvis nobis hiis que ad Coronam nostram pertinent : Testibus Willelmo de bossis (*Bosco*) cancellario comite Malcolmo De fiff thoma de striveling clerico Johanne de moravia : Apud Edinburgh vigesimo sexto mensis aprilis. (*H.*)

TRANSLATION.

Alexander, by the grace of God, King of Scots, To all good men of his whole land Greeting : Know ye that we, at the petition of the Abbot and Monks of Arbroath, have granted to Richard de Moray that he and his heirs may hold free court and suit in that land between Auchtar and Caledoner in the valley of Cloud which he holds of the said Abbot and monks, like as they hold free court and suit in their lands in Scotland, reserving to us what pertains to the Crown : Witnesses, *etc.* (*H.*)

11. 1214–1234. Ermengarda Dei gracia Regina Scottorum · Omnibus sancte matris ecclesie filiis has litteras uisuris uel audituris clericis et laicis salutem in domino · ad uniuersitatis uestre noticiam volimus peruenire · quod illuxtris Rex Alexander filius noster caritatis intuitu nobis contulit medietatem

ecclesie de Ketenes que ad eius spectat advocacionem · et uenerabilis pater Willelmus dei gracia episcopus Sancti Andree nobis similiter aliam illius ecclesie medietatem ad eius spectantem donacionem · contulit caritatiue · Ita ettiam quod liceat nobis prout nobis melius sederit libere disponere de tota ecclesia prenominata sicut carta domini Regis inde confecta testatur · Unde sciant presentes et futuri nos autoritate huius donacionis totam ecclesiam de Ketenes dedisse et concessisse et hac carta nostra confirmasse deo et sancte marie et hospitali sancti edwardi de sutheberwiche ad sustentacionem pauperum eiusdem hospitalis · Quare volimus ut predicta domus prefatam ecclesiam cum iustis pertinenciis suis · habeat · teneat · et possideat in liberam puram et perpetuam elemosinam adeo libere quiete · plenarie · et honorifice · sicut aliqua elemosina in toto regno scocie · liberius · quietius · plenius · et honorificencius · tenetur et possidetur · Vt autem hec nostra donacio et concessio et confirmacio futuris temporibus Robur perpetue firmitatis obtineant · presens scriptum sigilli nostri appositione duximus roborandum · Hiis Testibus · Willelmo et Willelmo capellanis nostris · iohanne clerico nostro · Heruico Mareschali seneschalo nostro · alexandro de lambertun · heugone expensario iohanne de Wartheroba · et multis aliis. (*H. and N.*)

Fragment of red wax seal appended.

TRANSLATION.

Ermengarde, by the grace of God, Queen of Scots To all the sons of Holy Mother Church, cleric and lay, who see or hear these letters, Greeting in the Lord: We will that all, present and future, to whose notice this comes, may know that the illustrious King Alexander our son, moved by charity, having given us the half of the Kirk of Ketenes whose advowson pertained to him, and the venerable father, William by the grace of God Bishop of Saint Andrews, having also of his charity granted the other half pertaining to him in advowson and gift, therefore we also having power, as the charter of the King testifies, freely to dispose of the whole said church as we think fit, have by virtue of this grant given and granted the whole kirk of Ketenes and by this our charter confirmed to God and Saint Mary and the Hospital of S. Edward of South Berwiche for the sustentation of the paupers in the said hospital: Wherefore we will that the foresaid house do have, hold, and possess the said kirk with its just pertinents in free, pure, and perpetual alms as freely, quietly, fully and honourably as any other alms in the whole realm of Scotland is held and possessed: That this our gift, grant, and confirmation may have the strength of perpetual surety in future days we have caused our seal to be appended to this present writ: Witnesses, *etc.* (*H.*)

12. 1225–1234. Omnibus Christi fidelibus has litteras uisuris uel audituris · Henricus · dei gracia prior et Conuentus sancti Andree eternam in domino salutem · Noueritis nos ad peticionem uenerabilis patris nostri Willelmi dei gracia episcopi sancti Andree ecclesiam de Ketenes quam deo et hospitali de ponte de Berwic diuine pietatis intuitu contulit ad susentacionem infirmorum ibidem commorancium in perpetuum ab (h)onere procuracionis episcopalis absolutam saluo iure archidiaconi auctoritate Capituli nostri confirmasse cum omnibus aliis libertatibus dicte domui ab eodem episcopo nostro concessis · secundum quod Carta ipsius inde confecta testatur · Et in huius rei testimonium presentem paginam comuni sigillo capituli nostri fecimus signari · Testibus Capitulo nostro. (*H. and N.*)

TRANSLATION.

To all the faithful in Christ who see or hear these letters Henry, by the grace of God, Prior, and the Convent of Saint Andrews Greeting in the Lord everlasting: Wit ye that we, at the petition of our venerable father William, by the grace of God, Bishop of S. Andrews have confirmed the Kirk of Ketenes, which he led by divine charity granted to God and the Hospital at the Bridge of Berwic for the sustentation of the infirm dwelling there, in perpetuity free from the burden

of episcopal procurations, saving the Archdeacon's right, with all other liberties granted to the said house by our said bishop, as his charter made thereupon testifies : And in testimony hereof we have caused sign this present page with the Common Seal of our Chapter : Witnesses, our Chapter. (*H.*)

13. c. 1230–1250. Sciant tam presentes quam futuri quod Ego thomas de yestred filius Radulphi Reddidi et quietum clamaui netcher yestred cum omnibus rectis pertinenciis suis Willelmo Giffard et heredibus suis de me et heredibus meis videlicet propter unam karucatam terre in Berwaldestune et · xiiij · marcas quas predictus Willelmus Giffard dedit mei in excambitionem prenominati uille de netcher yestred cum omnibus natiuis Hominibus eiusdem uille His · Testibus · Willelmo de ueteri ponte · valtero de havalla · valtero de penkatland · Willelmo de capella Roberto rusel · valdeuo de Samuelistune · Ricardo filio flinhard · Siwardo de karlel · Willelmo clerico Hugone seruo · Roberto del maner · Ricardo sulard · Roberto clerico et multis aliis. (*H. and N.*)

Seal appended, in fair condition, a device non-armorial.

TRANSLATION.

Know ye as well present, as to come, that I Thomas de Yestred, son of Radulph, have resigned and quitclaimed Nether Yestred with all its rightful appurtenances to William Giffard and his heirs from me and my heirs, viz. : for one carucate of land in Berwaldestune and 14 marks, which the foresaid William gave me in exchange for the abovementioned town of Nether Yestred with all the neyfs of the said town : Witnesses, *etc.* (*H.*)

14. 1240–1248. Omnibus hoc scriptum visuris uel audituris · Cristiana de Brus Comitissa de Dunbar salutem In domino · Nouerit vniuersitas vestra me de assensu et voluntate domini patricii comitis De Dunbar · et domini patricii filii et heredis eiusdem comitis · necnon de assensu et voluntate venerabilis patris in Christo · Dauid · dei gracia episcopi sancti Andree · dedisse · concessisse · et hac presenti carta mea confirmasse deo et fratribus ordinis Sancte trinitatis et captiuorum · domum meam quam fundaui in villa de Dunbar · Cum omnibus possessionibus et bonis dictam domum contingentibus · tam de dono domini · Patricii · comitis · et domini · Dauid de grahame · et thome de bernach · quam de emptionibus et aliunde prouenientibus · Tenendam et habendam predictis fratribus in puram et perpetuam elemosinam · Ita libere · quiete · plenarie · et honorifice · Sicut aliqua elemosina in regno Scocie liberius · quiecius · plenius · et honorificenius · tenetur et possidetur · Ita videlicet quod Minister domus de berwich quicunque pro tempore fuerit · perpetuo habeat curam et Custodiam dicte domus · qui etiam inueniat vnum fratrem capellanum in eadem domo (ministrantem ?) jn perpetuum · tam pro viuis quam pro defunctis pie et deuote diuina celebrantem Volo etiam et concedo vt dictus Minister vna cum fratribus in domo de Dunbar commorantibus · de omnibus possessionibus et bonis tam mobilibus quam Inmobilibus dicte domui collatis et conferendis pro voluntate sua et Secundum statuta ordinis sui · libere possit disponere · In cuius rei testimonium · presenti scripto sigillum meum apposui · Hiis testibus · Domino · Patricio · comite De Dunbar · Domino · Patricio · filio suo · Domino Willelmo fratre Comitis · Domino Rogero de Mubre · Domino · W · de burdone · Domino · Dauid · de burdone · Domino · W · persona de Dunbar · Magistro W · de edenham · Magistro · W · de (dronlav) · Domino · Dauid · de grahame · Domino · N · de pynkertona · Thome de Carnewych · stephano clerico · et aliis. (*H. and N.*)

TRANSLATION.

To all who see or hear this writ Christian de Brus, Countess of Dunbar, Greeting in the Lord : Wit ye that I, with the assent and will of Sir Patrick, Earl of Dunbar, and Sir Patrick his son and heir, and also of the venerable father in Christ David, by the grace of God Bishop of S. Andrews, have given,

granted, and by this my present charter confirmed to God and the Friars of the Order of the Holy Trinity and the Captives my house which I founded in Dunbar with all its belongings and chattels as well by gift of Sir Patrick the Earl, Sir David de Grahame, and Thomas de Bernach, as by purchase and provision otherwise: To be held by the said Friars in pure and perpetual alms as freely, quietly, fully, and honourably as any other alms in the kingdom of Scotland is held and possessed, so that the Minister of the House of Berwich, for the time being, will have perpetual care and charge of the said house, who shall also find a friar to be Chaplain in the said house and continually celebrate divine service piously and devoutly for the quick and the dead: Also I will and grant that the said Minister with the friars dwelling in the house at Dunbar will have full power to dispose at his own will in terms of the Statutes of his Order of all the possessions and goods, movable and immovable, given and granted to the said house: In testimony whereof I have appended my seal: Witnesses, *etc.* (*H.*)

15. 30th July 1250. Omnibus Hoc scriptum uisuris uel audituris Godefridus filius Thome de Tyndale Salutem · Noueritis me die sabati In Crastino sancti martini anno gracie MDCCL · In plena Curia dominorum apud forfar coram Justicario scocie Domino alano hostiario · Willelmo de Brehyn · et Roberto de monte alto tunc vicecomite · quietumclamasse et redidisse per fustum et Baculum et pro defectu Seruicij quod facere non potui, domino Hugoni Gyffard et heredibus suis, pro me et heredibus meis totum ius quod habui uel habere potui In terra de Balbohelyn In feodo de Telyn quam quidam terram Willelmus Gyffard · antecessor domini Hugonis antecessoribus meis dedit · de qua terra omnia monumenta Cartas et alia dicto Hugoni reddidi · renuncians pro me et heredibus meis, omnibus scriptis cartis taliis decetero sive imposterum inuentis, nec locum habeant ad inplacitandum dictum Hugonem uel heredes suos de dicta terra de Balbohelyn quia tam iuri nostro et seysine nostre et omnibus monumentis que dictum Hugonem uel heredes suos grauare possent renunciamus In Cuius quiete clamacionis testimonium Huic scripto sigillum meum apposui vna cum sigillis plurimorum Baronum · scilicet Roberti · de monte alto · Willelmi de Rameseye · ade de Morham · Alexandre de Hoglewin Hugonis de Hanegos. (*H. and N.*)

The seals of Godfrid (non-armorial), Ramsay, Morham, and Hanegos (broken and illegible) still appended.

TRANSLATION.

To all who see or hear this writ, Godfrid, son of Thomas de Tyndale, Greeting: Wit ye that I on Saturday, S. Martin's Eve, 1250, in the full Court of the Lords at Forfar before Sir Alan Durward Justiciar of Scotland, William de Brehyn, and Robert de Moffat now sheriff, quit-claimed and resigned with Staff and baton, for defect of service which I am not able to render, To Sir Hugh Giffard and his heirs from me and my heirs all right which I have or can have to the land of Balbohelyn in the feof of Telyn, which said land William Giffard, ancestor of Sir Hugh, gave to my ancestors. Of which lands all muniments, charters, and other writs I have resigned to the said Hugh, Renouncing for myself and my heirs all writs, charters, and tailzies to be found now or in future that they may have no power to disturb the said Hugh or his heirs in the said land of Balbohelyn, because we now renounce our right and sasine and all muniments which can prejudice the said Hugh or his heirs: In testimony of this quit-claiming I have appended my seal to this writ along with the seals of other Barons namely, Robert de Moffat, William de Ramsay, Adam de Morham, Alexander de Hoglewin (*Ogilvy?*) and Hugh de Hanegos (*Angus?*). (*H.*)

16. 1250–1267. Sciant presentes et futuri · Quod ego Adam de morham dedi et concessi et hac presenti carta mea confirmavi · Domini · Hugoni · Giffard ad parcum suum faciendum · Totam costam bosci mei que est uersus

castellam de Jestrith · cum · terra et omni quod infra continetur sine ullo retenemento sicut fundamentum predicti parci dicti domini · Hugonis proiectum est · Scilicet a vado Rivoli qui vocatur Jestrith · sicut kilnunrodes decendunt in illo vado uersus Duncanelaw · et ita ascendendo uersus aquilonem in dextra parte de Kilmerodes · usque ad oppositum de bernedene · et ita feriens siue transiens in bernedene · et ita per bernedene ascendendo usque ad yma capitis terre arrabilis pertinentis capelle de Dukanelawe et ita inter illam terram arrabilem et boscum usque Welledene et sic transcendendo Welledene aliquantulum decendendo et belimiando in sinistra parte usque veniat in profundum de welledene et Ita ascendendo usque ad yma capitis de maistercroftes inter terram arrabilem de maistercroftis et boscam usque ad capud horientale de Maistercroftis et Ita ascendendo uersus aquilonem super boscum usque terram arrabilem · et Ita inter terram arrabilem et boscum usque ad vadum Riwuli de yalupethe qui est inter terram meam · et terram monialium de Hadintune · Do insuper dicto domino Hugoni et heredibus suis · Tres pedatas terre extra murum suum dicti parci versus aquilonem immediate iacentis Juxta murum · ab inicio muri in longitudine · usque ad finem dicti muri · ad faciendum fossatum de toto uel de parte dictarum trium pedatum terre ad salwandum murum dicti sui parci ab aquis superuenientibus · Ita quod dictus dominus Hugo · nec heredes sui aliquid exigere peterunt extra dictum murum racione huius donacionis nisi tantum modo dictas tres pedatas supra nominatas · Tenendum et habendum predictum tenementum dicto domino Hugoni · Giffard et heredibus suis de me et heredibus meis · libere · quiete · bene · hereditarie · honorifice · et in pace · in bosco · et plano · in viis et semitis et in omnibus aliis rebus dicto tenemento pertinentibus · Reddendo inde annuatim ipse et heredes sui michi et heredibus meis Quinque denarios ad pentecosten · pro omnibus seruiciis · auxiliis · sectis curie · wardis · releviis · et omnibus aliis demandis secularibus et Regalibus · Et si ita contingat quod predictus redditus ad terminum statutum solutus non fuerit unde reragia debeantur · Ego predictus adam et heredes mei predictum dominum · Hugonem · Giffard uel heredes suos per bona de Netheriestrith · pro predicto redditu distringemus · Set non per murum parci sui · nec per aliqua alia que infra dictum murum continentur · nec per fossatum · nec per aliquam partem fossati · nec per terram vacuam siquid fuerit iacentem · inter fossatum et murum nec per aliquam partem terre iacentis ab inicio muri et fossati · usque in fine · nec per aliquod quod continetur uel contineri poterit inposterum ab aquiloni parte fossati usque ad murum dicti parci · nec per aliquod quod continetur uel uniquam poterit contineri infra prefatum tenementum · licet sic contentum infra feodum meum · Et sciendum est quod dictus dominus Hugo nec heredes sui michi · nec heredibus meis homagium pro predicto tenemento facient · nec sacramentum fidelitatis iurabunt · Et ego predictus adam de morham et heredes mei totum predictum tenementum cum pertinenciis suis sicut prescriptum est · predicto domino · Hugoni · Giffard et heredibus suis Warantizabimus · defendemus · et acquietabimus contra omnes gentes · In cuius rei testimonium presenti scripto sigillum meum apposui · Hiis testibus · Domino · Roberto · de mayneres · domino · Johanne · cumyn · domino · Johanne · de ketht · Roberto · de Noutona · philippo de ketht filio domini · Johanne · de pencatland · Willelmo · de Remfru · Radulfo · de Eykelm · Johanne · senescallo · de pencatland · Waltero · auenel · Willelmo · coco de boyltune · Johanne · de kydelaue · Adam de Templo · et multis aliis. (*H. and N.*)

Seal appended, in good condition, by pleat of silk.

TRANSLATION.

May those present and to come know that I, Adam de Morham, have given, and granted, and by this my present charter confirmed to Sir Hugh Giffard for the formation of his park all the side of my wood which is beside the Castle of Yester with the land and all contained therein without any retention as the formation of the said park is designed by the said Sir Hugh : namely from the ford of the burn called Yester as the Kilnunrodes descend by that ford

towards Duncanlaw and thus ascending northwards by the right side of the Kilnunrodes until opposite Berndene and thus going or crossing by Berndene and ascending through Berndene to the very top of the cultivated land of the Chapel of Duncanlaw and then between the said cultivated land and the wood to Welldene and thus crossing Welldene for a space descending and (*crossing ?*) through the left side until it comes to the bottom of Welldene and then mounting to the very top of Maistercroftes between the cultivated land of Maistercroftes and the wood as far as the eastern summit and then ascending northwards beyond the wood to the cultivated land and then between the cultivated land and the wood to the ford of the burn of Yellowpath which is between my land and that of the Nuns of Haddington: Farther I give to the said Sir Hugh and his heirs three feet of land beyond the wall of his said park towards the north lying close beside the wall from the start of the wall in length to the end of the said wall to make a fosse of all or part of the said three feet of land to protect the wall of the said park from water coming from above; provided that the said Sir Hugh and his heirs do not try to hold anything without the said wall by reason of this grant except the said three feet above-named: The foresaid tenement to be held and had to the said Sir Hugh Giffard and his heirs of me and my heirs freely, quietly, well, heritably, honourably, and peaceably in wood and plain, roads and paths, and all other things pertaining to the said tenement: Paying yearly therefor he and his heirs to me and my heirs five pence at Pentecost for all services, aids, suits of court, wards, reliefs, and all other secular and royal exactions; and if it happen that the said payment be not made at the stated term, whereby arrears may be due, I the said Adam and my heirs shall distrain the goods of the foresaid Sir Hugh Giffard or his heirs in Nether Yester for the foresaid payment, but not the wall of his park nor anything else contained within it nor the fosse nor any part thereof nor waste land, if any there be, between the fosse and the wall, nor any land stretching from the start of the wall and fosse to the end nor anything contained or which can be contained in the future from the north side of the fosse to the wall of the said park nor anything else contained or possibly contained within the said tenement thus contained in my feof: And it is to be known that the said Sir Hugh and his heirs will render me and my heirs no homage for the said tenement nor take the oath of fealty: And I the foresaid Adam de Morham and my heirs shall warrand and defend and acquit against all people all the said tenement with its pertinents as above-written, to the foresaid Sir Hugh Giffard and his heirs: In testimony whereof I have appended my seal to this present writ: Witnesses, *etc.* (*H.*)

17. c. 1250–1267 (?). Vniuersis presens scriptum visuris vel audituris ego Ricardus soylard salutem Nouerit vniuersitas vestra me recepisse a domino hugone giffard totam terram de le Snoc quam emit de petro brun et de agnete uxore sua in villa de berewich cum omnibus libertatibus et asiamentis ad dictam terram pertinentibus, sicut plenius continetur in carta quam mihi de dicta terra dictus dominus hugo giffard dedit in hiis verbis Sciant presentes et futuri quod ego hugo giffard dedi et concessi et hac presenti carta mea confirmaui ricardo soylard seruienti meo et heredibus suis totam terram de le Snoc quam emi de petro brun et de domina agnete uxore eiusdem in villa de berewich cum omnibus libertatibus et asiamentis ad dictam terram pertinentibus. Tenendam et habendam de me et heredibus meis sibi et heredibus suis adeo libere quiete pacifice et honorifice sicut ego dictus hugo giffard liberius quietius dictam terram tenui vel tenere potui · faciendo mihi et heredibus meis totale servicium pro dicta terra dictus Ricardus soylard et heredes sui quod (*vero ?*) mercatores mei fideles et heredum meorum quotidies hora voluerimus infra villam de berewich et extra per unam leucam sicut custos suos proprios · Et si contingat quod dictus ricardus soylard et heredes sui in mercationibus et negociis meis uel heredum meorum vadant per preceptam nostram inter twede et forth plusquam unam leucam · ego dictus (*hugo*) giffard et heredes mei dicto ricardo soylard et heredibus suis estouarias racionabiles tenemur invenire eundo et redeundo usque ad villam de berewich—videlizet uni garconi et duobus equis

si duos habuerit · vel uni equo si duos non habuerint Tenemur et etiam dicto ricardo et heredibus suis domos sufficientes invenire secundum quod videbimus pro racione ad hospitandum eos dum eos voluerimus habere in mercationibus nostris Et omnes domos meas videlicet adeo bene illas in quibus sedet sicut alias que remanent apud nos quas ego et heredes mei trademus dicto ricardo et heredibus suis ad custodiendum. Idem dictus ricardus et heredes sui custodient in tam bono statu sic(*ut*) (*i*)lle et heredes sui dictas domos a me et heredibus meis receperint nisi ita sit quod dicte domus detrimentum habeant per oragium uel per putrefactionem Et——qua domus ceciderit dictus ricardus et heredes sui eam saluabunt et reseruabunt meremium ad opus meum et heredum meorum Et idem ricardus soylard se obligauit firmiter per fidem suam pro se et heredibus suis erga me et heredes meos ad omnia prescripta fideliter seruandum · Vt autem hec donacio et confirmacio mea rata et stabilis permaneat · ego predictus hugo giffard hanc cartam meam sigilli mei roboraui Et dictus ricardus scriptum suum de hiis conuencionibus sicut prescriptum est · roborauit impressione sigilli sui · et liberauit mihi et heredibus meis pro se et heredibus suis Hiis testibus domino iohanne Grey tunc maiore de berewich et domino iohanne de dunbarre · domino ade filio philippi · thome de moreuia Matheo de grenelawe · Willelmo dendor Radulpho noremanno et aliis et sciendum est quod ego dictus ricardus soylard et heredes mei dicto domino hugoni giffard et heredibus suis omnes conuenciones predictas sicut plenius continetur in scripto de predicta terra confecto sine omni fraude et dolo obseruabimus et fideliter iurabimus Et ad maiorem huius rei securitatem presens scriptum sigilli mei impressione roboraui. Hiis testibus domino Johanne Grey tunc maiore de berewich · domino iohanne de dunbarre · domino ade filio philippi · thome de moreuia · Matheo de grenelawe · Willelmo dendor · Radulpho noremanno et alijs. (*H. and N.*)

On paper, evidently a 15th century copy. On the lower part of this sheet is a copy of Charter No. 1, and on the back the following note in handwriting of the first half of the 16th century: "My consal is at ye attemit ye lard of belle for it was [*given?*] me to wyt yat hes fader had ye rental of ye schirafdowm of berwik bat of brwgh ꝛ of land of ald tym ꝛ to sper at ye ewest men of ye cu'tra ꝛ zowr cosynes ꝛ myn schir alexadr howm."

Translation.

To all who see or hear this present writ Richard Soylard Greeting: Wit ye that I have received from Sir Hugh Giffard all the land of the Snoc, which he bought from Peter Brun and Agnes his wife, in the town of Berewich with all liberties and easements pertaining thereto, as more fully is contained in the charter which the said Sir Hugh Giffard gave me of the said land in these words: Wit ye both present and future that I Hugh Giffard have given and granted and by this my charter confirmed to Richard Soylard my servant and his heirs all the land of the Snoc, which I bought from Peter Brun and Dame Agnes his wife, with all liberties and easements pertaining thereto in the town of Berewich: To be held and had of me and my heirs by him and his heirs as freely, quietly, peaceably, and honourably as I the said Hugh Giffard hold or ought to hold the said land: The said Richard Soylard and his heirs rendering for the said land to me and my heirs all the service as faithful merchants of me and my heirs would do daily at any season as we desire within the town of Berewich and beyond for a league as if for their own business: And, if it should happen that the said Richard Soylard and his heirs in purchasing and negotiating for me or my heirs should go, at our directing, more than a league betwixt Tweed and Forth, I the said Hugh Giffard and my heirs become liable to the said Richard Soylard and his heirs for reasonable expenses in their going from and returning to the town of Berewich, namely for one groom and two horses if two they have, or one horse if they have not two: And also we are liable to provide the said Richard and his heirs with sufficient lodgings as we think meet for lodging them in whilst we desire to employ them in our tradings: And I and my heirs do consign to the care of the said Richard and his heirs all my houses, as well those he inhabits as those remaining to us: The said Richard

and his heirs to maintain them in as good condition as he and his heirs receive the said houses from me and my heirs unless it befall that the said houses suffer damage by tempest or decay and if any house have fallen the said Richard and his heirs shall save and reserve the timber for my use or that of my heirs: And the said Richard Soylard has surely pledged him and his heirs on his oath to observe all the above-written to me and my heirs faithfully; And that this my gift and confirmation may stand good and sure I the said Hugh Giffard have authenticated this my charter with my seal; and the said Richard has confirmed his writ anent the agreements above-written with the impression of his seal, and has freed me and my heirs of him and his heirs: Witnesses, Sir John Grey present Mayor of Berewich, and Sir John de Dunbar, Sir Adam Phillipson, Thomas de Moray, Matthew de Greenlaw, William Dendor, Ralph Norman, and others: And be it known that I the said Richard Soylard and my heirs will keep all the agreements to the said Sir Hugh Giffard and his heirs without fraud or guile as is more fully contained in the writ made anent the foresaid land; And we shall swear to it on our oaths: And for the greater surety of this matter I have authenticated this present writ with the impression of my seal: Witnesses, *etc.* (*H.*)

18. c. 1320. Sciant presentes et futuri quod ego Hugo de ffoddrygay per fustum et baculum Reddidi et Resignaui et omnino pro me et heredibus meis quietum clamaui totam terram de balnoch in tenementum de Telyn sine aliquo retenemento inperpetuum et totum ius et clameum quod ad dictam terram habui vel aliqua racione habere potui Domino Johanni Giffard et heredibus suis cum omnibus suis pertinenciis infra villam de balnoch et extra quam quidam terram habui de dono quondam domini Johannis Giffard patris predicti Johannis Ita quod ego nec aliquis heredum meorum nec aliquis alius in dictam terram aliquod ius vel clameum quoquomodo vel casu exigere vel vindicare poterimus in posterum et si aliquod scriptum seu instrumentum de feoffamentum dicte terre de balnocht penes me vel heredes meos vel aliquem alium inveniatur · quod illud scriptum vel instrumentum mihi hugoni vel heredibus meis vel alicui alii nichil possint prodesse nec dicto domino Johanni Giffard nec heredibus suis nocere pro hac autem reddicione et resignatcione et quieteclamacione dictus dominus Johannes Giffard pro se et heredibus suis dedit mihi et heredibus meis in excambia totam terram quam habuit in vchtercoman et Laurenstona excepta tercia parti domine Issabelle matris predicti domini Johannis de parva vchtircoman vt patet in scripto inde michi et heredibus meis a dicto domino Hugone (*sic*) plenarie confecto In cuius rei testimonium Huic scripto Sigilli mei inpressionem apposui Hiis Testibus dominis Gilberto de Haya Willelmo de Haya de Lochworuyr Willelmo de Ramesay tunc vicecomite de fforfar militibus Willelmo de mortuo mari et Willelmo de litterio clerico et multis alijs. (*H. and N.*)

Seal appended, fine impression but partly broken.

TRANSLATION.

Wit ye those present and to come that I Hugh de Foddrygay by staff and baton have surrendered, and resigned, and fully quit-claimed for me and my heirs all the land of Balnoch in the tenement of Telyn without any reservation forever, and all right and claim which I have or can have by any means to the said land, in favour of Sir John Giffard and his heirs with all pertinents within and without the town of Balnoch, which said land I hold by the gift of umquhile Sir John Giffard, father of the said John: And, that I and any of my heirs or anyone else shall not be able to exact nor claim any right or claim by whatever way or chance in future, if any writ or instrument of infeofment in the said land of Balnocht be found with me or my heirs or anyone else, the said writ or instrument will not be produced by me, the said Hugh or my heirs or anyone else to harm the said Sir John Giffard and his heirs: For this surrender, resignation, and quit claim the said Sir John Giffard for himself and his heirs has given me and my heirs in excambion all the land which he has in Uchtercoman and Laurenston, except the terce of Dame Isable, mother of the said Sir John,

in Little Uchtercoman, as shewn in the writ fully made thereanent to me and my heirs by the said Sir *Hugh* (*sic*, should be *John*) : In testimony whereof I have appended the impression of my seal to this writ : Witnesses, *etc.* (*H.*

19. 18th May 1322. "Carta Domini Johannis Giffard de terris de Donipas de Doncanlaw et de Morham." (Endorsement in contemporary hand. CIROGRAFFATA. Robertus dei gracia Rex Scottorum Omnibus probis Hominibus tocius terre sue Salutem · Sciatis nos Dedisse concessisse / et Hac presenti carta nostra cirograffata confirmasse / Thome de Morhame patri militi / omnes terras / et omnia tenementa cum pertinenciis in Baronia de Donypas / quas et que Thomas Ranulphi Comes Morauie Dominus vallis anandie / et Mannie / Nepos noster dilectus / per fustum et baculum apud Glasgu / nuper nobis sursum reddidit / et quietumclamauit necnon et omnes terras / et omnia tenementa cum pertinenciis in Baroniis de Ducanlau / et De Morehame / quas et que / dictus Thomas de Moreham per fustum et baculum / Similiter apud Glasgu nobis nuper sursum reddidit et quietumclamauit · Habendas et Tenendas predicto Thome de Morehame ad totam vitam suam tantum / de nobis et heredibus nostris cum Seruiciis Liberetenentium / et cum omnibus aliis et Singulis Libertatibus Commoditatibus aisiamentis et iustis pertinenciis / in omnibus et per omnia tam non nominatis quam nominatis / ad predictas terras et ad predicta tenementa iuste pertinentibus / seu qualitercunque pertinere valentibus · Ita quod post decessum ipsius Thome de Morehame omnes predicte terre et omnia tenementa predicta cum pertinenciis / Johanni Giffard militi et Eufamie Sponse sue et heredibus de corporibus suis legittime procreatis integre et quiete remaneant imperpetuum · Et Si contigerit ipsos Johannem et Eufamiam absque herede de corporibus suis legittime procreato in fata discedere ? volimus quod omnes terre predicte / et omnia predicta tenementa cum pertinenciis post decessum dictorum Johannis et Eufamie propinquioribus heredibus dicti Thome de Morhame integre / et quiete reuertantur in futuris ffaciendo nobis et heredibus nostris Ceterisque capitalibus feodorum Dominis omnia seruicia inde debita et consueta · Volimus insuper quod si dictus Thomas de Morehame de dictis terris aut tenementis / seu de aliqua parte earumdem aliquam fecerit alienacionem donacionem / vendicionem / inpignoracionem vel ad terminum dimissione vlterius quod ad terminum vite ipsius Thome tantum quod extunc ipse Thomas cadat et omnino prouetur ab omni iure et seisina habitis in eisdem terris et tenementis racione nostre infeodacionis et infeodacio nostra sibi facta de eisdem / omni careat robore et virtute necnon et extunc prefati Johannes et Eufamia / et heredes sui predicti omnes predictas terras et omnia tenementa predicta cum pertinenciis libere / et quiete ingrediantur et possideant iuxta formam concessionis nostre superius eis facte de eisdem · In cuius rei testimonium huic carte cirograffatte Sigillum nostrum precipimus apponi / Testibus Bernardo abbate de abirbroth Cancellario nostro Waltero Senescallo Scocie Jacobo Domino de Douglas Roberto de Ketht marescallo nostro Roberto de Lawedre Justiciaro Laudonie Militibus Willelmo Veteri Ponte Willelmo de Abiruithin / et aliis · Data apud BerWicum super TWedam xviij° · die maij Anno Regni nostri Septimodecimo · (*H.*)

Fragment of the (second) Great Seal of Robert I. appended in bad condition. The top of the charter is indented, having been granted in duplicate, one half, the above, to remain with John Giffard and Eufamia, and the other with Thomas, which is the one, apparently, entered in the Register, *cf.* Reg. Mag. Sig., vol. i., App. I., No. 39, from the Haddington MS. copy. The date there is given as 10th May.

TRANSLATION.

CHARTER to Sir John Giffard of the Lands of Donipas, Doncanlaw and Morham.—(*Endorsement.*)

In Duplicate.—Robert, by the grace of God, King of Scots to all good men of his whole land Greeting : Wit ye that we have given, granted, and by this our present charter in duplicate confirmed to Thomas de Morhame, senior, knight all the lands and tenements with pertinents in the Barony of Donipas,

which our beloved nephew Thomas Randolph, Earl of Moray Lord of Annandale and Man, lately resigned and quit claimed to us with staff and baton at Glasgow; also all the lands and tenements with pertinents in the Baronies of Duncanlaw and Morhame, which the said Thomas de Morhame likewise recently resigned and quit claimed to us with staff and baton at Glasgow: To be held and had by the said Thomas de Morhame of us and our heirs for all the days of his life with the services of freeholders and all and sundry other liberties, commodities, easements, and just pertinents in all and through all things named or not which justly belong or ought to belong in any way to the said lands and tenements; So that after the death of the said Thomas de Morhame all the foresaid lands and tenements with pertinents are to remain forever wholly and quietly with Sir John Giffard, knight, and Eufamia his wife and the heirs of their bodies lawfully procreated: And should it happen that the said John and Eufamia should die without any heirs lawfully procreated of their bodies we will that all the said lands and tenements, after the deaths of the said John and Eufamia, will revert to the nearest heirs of the said Thomas de Morhame wholly and quietly forever: Rendering to us and our heirs and the other chief lords of the fiefs all services thence due and wont: Further we will that if the said Thomas de Morhame do make an alienation, gift, sale or wadset of the said lands and tenements or any part thereof or by dimission at a later term which is to be in force at the end of the said Thomas's life that then the said Thomas will lose and be wholly removed from right and sasine had in the said lands and tenements by reason of our infeofment, and our infeftment made to him of these loses all strength and virtue, and thereupon the said John and Eufamia and their foresaid heirs will enter to all the said lands and tenements with pertinents freely and quietly and possess them after the tenour of our concession made above: In testimony whereof we have caused our seal to be appended to this duplicate charter: Witnesses, *etc.* (*H.*)

20. Nov. 1327. Omnibus hoc scriptum visuris uel audituris Johannes Gyffard dominus de yestre et baroniarum de Morame et de Ducanlau Salutem in domino sempiternam Cum quedam contencio nuper mota fuisset inter religiosas dominas Priorissam et moniales de hadygtoun ex parte vna et me ex parte altera Super quibusdam viis Semitis liberis introitibus et exitibus de grangia sua de Nunhope usque ad domum suam de hadygtoun et de grangia sua de Nunland et aliis grangiis terris petariis et turbariis usque ad domum suam supradictam · Noueritis me pro salute anime mee et Eufemie sponse mee et heredum nostrorum et antecessorum et successorum nostrorum pro me et heredibus meis tenore presentis scripti concessisse et presenti scripte confirmasse eisdem monialibus et earum successoribus · liberum transitum et communem extra blada et prata indefencione posita · omni tempore anni in omnibus viis semitis aliquo tempore vsitatis de le Nunhope usque villam de yestre et abinde de usque domum suam de hadygtona et de dicta grangia de le nunhope usque predictam grangiam suam de Nunland et ab illa grangia et omnibus aliis grangiis terris silvis petariis turbariis in omnibus viis et semitis communiter vsitatis usque ad dictam domum suam de hadygtona cum plaustis (*sic*) carettis equis et uniuersis animalibus quotiens indiguerint absque contradiccone uel impedimento mei uel heredum meorum seu cuiuscunque nomine nostra inperpetuum Et ego Johannes et heredes mei predictum liberum et communem transitum per omnes vias et semitas supradictas prefatis monialibus contra omnes gentes Warantizabimus acquietabimus et inperpetuum defendemus In cuius Rei testimonium presens scriptum sigilli mei munimine roboraui Datum apud Castrum de yestre die Jouis proxima post festum Sancti martini in yeme anno gracie milesimo Tricentesimo vicesimo septimo. (*H. and N.*)

A duplicate (apparently, or at least a contemporary copy) on parchment of the original charter granted by Sir John Giffard to the Nuns.

TRANSLATION.

To all who see or hear this writ John Gyffard, Lord of Yestre and the Baronies of Morame and Duncanlau, greeting in the Lord everlasting: Seeing

that there has been a dispute between the Reverend Dames, the Prioress and Nuns of Hadygtoun, and me over certain roads, paths, and free entries and exits from their Grange of Nunhope to their House of Hadygtoun, and from their Grange of Nunland, and other granges, lands, petaries, and turbaries to their foresaid house; Wit ye that I for the weal of my soul and the souls of Eufamia my wife, and our heirs, ancestors, and successors for me and my heirs by the tenour of this present writ have granted and by this writ confirmed to the said Nuns and their successors free and common transit beyond the corn and meadows enclosed in fence at all times of the year in all roads and paths of use at any time from the Nunhope to the town of Yestre and thence to their House of Hadygton, and from the said Grange of the Nunhope to their foresaid Grange of Nunland, and from that grange and all other granges, lands, woods, petaries, and turbaries in all roads and paths commonly used to their said House of Hadygtoun with wains, carts, horses, and any kind of animal whenever they require forever without contradiction or hindrance from me or my heirs or anyone in our name: And I, John, and my heirs the foresaid free and common transit by all foresaid roads and paths shall warrand, and acquit, and forever defend to the said Nuns against all people: In testimony whereof I have strengthened by the confirmation of my seal: Dated at Yestre Castle, Thursday after Martinmas in the year of grace 1327. (*H.*)

21. 24th April 1327–8th May 1328. *Notarial Copy* (*see No.* 68B) *of the following Charter:* Omnibus hanc cartam visuris vel audituris hugo de Ross filius et heres domini Willelmi comitis de Ross Salutem eternam in domino; Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Thome de haya de lochhorwor dilecto consanguineo nostro pro homagio et seruicio suo decem libratas terre tantum in villa de kynkarachy infra comitatum bochanie salua nobis potestate libere disponendi et ordinandi de residuo vltra summam predictam decem libratarum terre in eadem villa existento vel existendendo: Tenendas et Habendas sibi et heredibus suis de nobis et heredibus nostris in feodo et hereditate libere quiete plenarie et honorifice in boscis et planis pratis et pascuis moris et marresiis stagnis et aquis molendinis et brasinis venaconibus et aucupaconibus piscariis et viuariis et omnibus aliis suis pertinencijs libertatibus commoditatibus et asiamentis ad dictam villam seu terram spectantibus seu aliquo iure vel consuetudine in futurum spectare valentibus tam non nominatis quam nominatis: Reddendo nobis inde et heredibus nostris vnum par calcarum deauratorum annuatim ad pentecosten et faciendo inde forincecum seruicium domini Regis quantum ad dictam terram pertinet et sectam ad curias nostras pro omni alio seruicio seculari exacone seu demanda: In cuius rei testimonium huic presenti carte nostre sigillum nostrum apposuimus: Hiis testibus domino Michaele dei gracia tunc abbate de dere; Magistro Willelmo de londors cancellario ecclesie Rossensis; Magistro Andrea de hyrdmannistoun ecclesiarum rossensis et cathanensis canonico; hutredo de fotheis Malisio de menteth et multis alijs.

TRANSLATION.

To all who see or hear this charter Hugh de Ross, son and heir of Sir William Earl of Ross; Greeting everlasting in the Lord: Wit ye that we have given, granted, and by this our present charter confirmed to our beloved kinsman Thomas de Haya of Lochhorwor for his homage and service ten poundlands in the town of Kynkarachy within the earldom of Buchan, reserving to us power freely to dispose of and manage the rest of the said town remaining beyond the said ten poundlands: To be held and had by him and his heirs of us and our heirs in fee and heritage freely, quietly, fully, and honourably in woods and plains, meadows and pastures, moors and marshes, pools and waters, mills and brewhouses, huntings and hawkings, fishings and fishponds, and all their other pertinents, liberties, commodities, and easements belonging to or which ought to belong in future to the said town or land by any right or custom named or not: Paying to us and our heirs therefor a pair of gilded spurs yearly at Pentecost, and rendering as much forinsec service to the Lord

King as is due for the said land, and suits at our courts for all other secular service, exaction, or demand: In testimony whereof we have appended our seal to this our present charter: Witnesses, *etc.* (*H.*)

22. c. 1327. Omnibus hanc cartam Visuris Vel audituris Johannes giffard dominus de yestir salutem in domino · Noueritis me pro salute anime mee et pro salute anime Eufemie sponse mee necnon et pro salute animarum omnium predecessorum et successorum meorum concessisse dedisse et hac presenti carta mea confirmasse deo et beate Marie ac domui de Melros ac monachis ibidem deo seruientibus et in perpetuum serviturís · vnum toftum et croftum in villa mea de yestir predicta et duas bouatas terre in tenemento dicte ville que et quas habuerunt ex donacione quondam domini hugonis Giffard aui mei domini ville predicte · Tenendum et habendum dictis Religiosis et eorum assignatis de me et heredibus meis cum omnibus libertatibus asyamentis commoditatibus et pertinenciis suis tam non nominatis quam nominatis infra villam predictam et extra in liberam puram et perpetuam elemosinam sine aliquo retinemento · Concedo etiam pro me et heredibus meis quod dicti Religiosi et eorum assignati habeant infra dominium meum dicte ville sex boues et quatuor vaccas cum eorum sequelis duorum annorum sexaginta oues et duos equos omni tempore anni · Volo etiam quod dicti religiosi et eorum assignati liberi molant ad molendinum meum dicte ville sine multura de blado quod creuerit infra tenementum predictum et quod sint proximiores post illud bladum quod fuerit in tremulo quotiens cunque venerint nisi bladum meum vel heredum meorum venerit ibidem antequam tremulum vacuetur et tunc post bladum meum vel heredum meorum statim molent ante omnes alios nichil pro hiis omnibus alicui facientes aliquo tempore propter orationes · Ego uero Johannes predictus et heredes mei predictum toftum et croftum et predictas duas bouatas terre cum omnibus et singulis suis pertinenciis predictis viris religiosis et eorum assignatis contra omnes Warantizabimus acquietabimus et defendemus in perpetuum In cuius rei testimonium presenti carte sigillum meum apposui · Testibus dominis Patricio de dunbar Comite de Marchie Roberto de keth marescallo Scotie · Alexandro de setoun patre Roberto de lawedir patre Justicario laudonie Militibus Ricardo de Barde. Johanne de turribus Nicholayo tripenay Radulpho Goldyng et aliis.

A contemporary copy on parchment. The original is among the Melrose Charters, *cf.* Liber de Melros, II., No. 393.

TRANSLATION.

To all who see or hear this charter John Giffard Lord of Yestir Greeting in the Lord: Wit ye that I, for the weal of my soul and those of my wife Eufamia and all my predecessors and successors, have granted, given, and by this my present charter confirmed to God, and the Blessed Mary, the House of Melros, and the Monks serving God therein forever one toft and croft in my town of Yestir foresaid and two oxgangs of land in the tenement of the said town which they hold by the gift of umquhile Sir Hugh Giffard my grandfather, Lord of the foresaid town: To be held and had by the said religious and their assignees of me and my heirs with all liberties, easements, commodities, and pertinents, named or not, within and without the foresaid town, in free, pure, and perpetual alms without any with-holding: Also I grant for me and my heirs that the said religious and their assignees are to keep within the lordship of the said town, six oxen and four cows with their calves of two years, sixty sheep, and two horses during the whole year: I also will that the said religious and their assignees are to grind freely at my mill of the said town without multure of the grain which grows within the said tenement, and that they shall be first after that grain which is being ground whenever they come, unless my grain or that of my heirs happen to come there before the grinding is over, in which case after my grain or that of my heirs, but before all others: Paying nothing for all this to anyone at any time because of their prayers: I the said John and my heirs the said toft and croft, and said two oxgangs of land with all and sundry

pertinents to the said religious and their assignees shall warrand, acquit, and defend for ever against all men: In testimony whereof I have appended my seal to this present charter. Witnesses, *etc.* (*H.*)

23. c. 1330. Omnibus hoc presens Scriptum uisuris uel audituris willelmus de vallibus miles salutem in domino · Nouerit uniuersitas uestra me dedisse concessisse et hac presenti carta mea confirmasse Douenaldo filio Donecani pro homagio et seruicio suo duas bouatas terre in territorio de Middletone · videlicet que iacent inter terram Patricii de haya iuxta viam que ducit ad Thirneopesheued et abuttat super gwynesheleford uersus orientem abuttantem super terram eiusdem Patricii uersus austrum et extendit se in longitudine per eandem viam que est iuxta Thirneopesheued usque ad quandam terram que uocatur le Wetrik decendentum per quandam diuisam in Suthburne ex parte orientali de le merestal et unum tofitum et croftum · videlicet que iacent prope predictas duas bouatas terre secundum diuisas per qua mensurata fuerint et perambulata per me et probos homines de middeltone et aliunde · Tenendas et habendas dicto Douenaldo et heredibus suis de me et heredibus meis libere quiete · Integre · pacifice · plenarie · et honorifice · In moris et in pascuis in planis et mariseis · In stagnis et aquis · in viis et semitis · in petariis et turbariis et cum omnibus aliis pertinenciis libertatibus et aysiamentis ad dictam terram pertinentibus uel de Jure in perpetuum pertinere valentibus infra villam et extra sine aliquo impedimento uel contradiccione cum libero introitu et exitu · Ita quod dictus Douenald et heredes sui habeant infra territorium de middeltone super pasturam quatuor Jumenta · octo boues · et decem vaccas cum sequela earumdem per unum annum · et Sexies viginti matrices oues cum sequela earumdem per unum annum · uel sexies viginti reliquas bidantes · Reddendo inde annuatim mihi et heredibus meis unam liberam (limine) uel duos denarios ad festum sancti michaelis pro omni seruicio consuetudine · secta curie · exaccione seculari uel demanda · et dabunt tricesimum vas multure ad molendinum meum de Middeltone · ego autem Willelmus de vallibus et heredibus meis predictam terram et toftum et croftum cum suis pertinenciis sicut plenius et liberius prolocutum est · predicto Douenaldo et heredibus suis pro predicto seruicio contra omnes homines et feminas in perpetuum Warantizabimus aquietabimus et defendemus · et ad maiorem huius rei securitatem presenti scripto sigillum meum feci apponi in testimonium · Hiis testibus · domino Dauid brun · domino Dauid de fodringya · Johanni giffard · Ricardo de haucherestone · Patricio de hay · Dauid de stobbes · Ricardo clerico de caledouere · Johanni de fodringya clerico · ada swan · et aliis. (*H. and N.*)

Seal appended slightly damaged.

TRANSLATION.

To all who see or hear this present writ William de Vaux, knight, Greeting in the Lord: Wit ye that I have given, granted, and by this my present charter confirmed to Donald Fitz Duncan for his homage and service two oxgangs of land in the territory of Middleton, which lie between the land of Patrick de Haya next the Road which leads to Thirneopesheud and abutts on Gwynesheleford towards the East, abutting on the land of the said Patrick towards the South, and stretching in length by the said road which is next Thirneopesheued to a land called the Wetrik, descending on that boundary to Suthburne on the East side of the Merestal; With a toft and croft, which lie near the said two oxgangs, bounded as measured and perambulated by me and the good men of Middleton and elsewhere: To be held and had to the said Donald and his heirs of me and my heirs, freely, quietly, wholly, peacefully, fully, and honourably in moors and pastures, plains and marshes, stanks and waters, roads and paths, petaries and turbaries, and with all other pertinents liberties, and easements pertaining or which by right ought to pertain forever to the said land within and without the town, without any hindrance or contradiction with free entry and exit: Also that the said Donald and his

heirs may have within the territory of Middleton on the pasture four beasts of burden, eight oxen, ten cows with their calves, and sixty score ewes with their lambs, or sixty score other animals giving suck yearly: Paying yearly therefor to me and my heirs a free—or two pennies at Michaelmas for all service, custom, suit of court, and secular exactions or demand; and they shall bring thirty measure of multure to my mill of Middleton: Also I, William de Vaux and my heirs shall warrand, acquit, and forever defend the foresaid land and toft and croft with their pertinents, as is more fully and freely described above, to the said Donald and his heirs for the foresaid service against all men and women: And for the greater security of the present writ I have caused my seal to be appended in testimony thereof: Witnesses, *etc.* (*H.*)

24. c. 1340. Omnibus hanc cartam visuris vel audituris Eufamia Giffard sponsa quondam domini Johannis Giffard salutem in domino sempiternam noueritis me In pura viduitate constitutam dedisse concessisse et hac presenti carta mea confirmasse rechardo de dale pro fideli seruicio suo Illam dimidiam carucatam terre cum pertinenciis in tenemento de barow que fuit alexandrj coci per suas rectas diuisas videlicet a domo hospitalis discendendo usque ad vyndenmyr Et sic ascendendo usque ad communem exitum quod tendit ad occidentalem partem de barw Et sic usque ad harlawmore et sic de occidentali parte ipsius exitus vsque ad vadum quod tendit de harlawmore usque ad viam que vocatur fawsyd gait Et sic ascendendo ad situm pontis qui vocatur cachtlamis brighe Et sic ab Illa via usque ad terram que quondam fuit alexandri de stratum Tenendam et habendam dicto rechardo heredibus suis et suis assignatis de me et heredibus meis in feodo et hereditario adeo libere et quiete plenarie et honorifice sicut aliqua feoda firma in regno Scocie liberius quietius plenarius et honorificentius tenetur cum libero Introitu et exitu Et communi pastura Et omnibus aliis asiamentis dicte ville pertinentibus seu pertinere valentibus aliquo modo Volo eciam et concedo quod quoscunque contigerit dictum rechardum heredes suos vel suos assignatos in curia mea amerciari ex quarumquam causa quod soluerit pro cuilibet amerciamento duodecim denarios tantum Reddendo singulis annis Dictus rechardus et heredes sui et sui assignati michi et heredibus meis vnum denarium tantum in villa De barw in festo Sancti kentigerni Nomine feodifirmi si per me vel heredes meos exequator pro secta curie warda releuio et pro omnibus seruiciis consuetudinibus exactionibus et demandis Et pro omnibus alijs quo de dicta terra per aliquam exigi poterint Imperpetuum Volo eciam et concedo quod dictus rechardus heredes sui et sui assignati molent blada sua ad molendinum meum de duncanlaw in multura Et quod sint propinquiores post bladum inventum In tribulo Ego vero eufamia et heredes meos predictam terram cum suis pertinenciis predicto rechardo heredibus suis et suis assignatis contra omnes homines et feminas warantizabimus et defendemus Imperpetuum Hiis testibus Jacobo domino de Dowglas roberto de keht henrico de sancto claro alexandro de setoun roberto de lawder tunc Justiciario lawdonie willelmo de vetere ponti thoma de bosco militibus Domino willelmo rectore ecclesie de morham Domino alexandro ecclesie de barw tunc magistro monialium de hadingtoun rechardo de bard godfrido byrin et aliis. (*H. and N.*)

A paper copy in 15th century hand, backed "Coppie of laird dailis charter given be eufam giffert. 34."

TRANSLATION.

To all who see or hear this charter Eufamia Giffard, spouse of umquhile Sir John Giffard, Greeting in the Lord everlasting: Wit ye that I, in my pure widowhood, have given, granted and by this my present charter confirmed to Richard de Dale for his faithful service that half carucate of land with pertinents in the tenement of Barow, which belonged to Alexander Cook, by its right bounds, namely, descending from the hospital to Vydenmyr, thence ascending to the common exit which leads to the west side of Barw, thence to Harlawmore, thence from the west side of the said exit to the ford which leads from

Harlawmore to the road called Fawsyd gait, thence ascending to the site of the bridge called Cachtlamis Brighe, and thence from that road to the land which once belonged to Alexander de Stratum: To be held and had to the said Richard and his heirs and asignees from me and my heirs in fee and heritage as freely and quietly, fully and honourably, as any other fee-firm in the realm of Scotland is held with free entry and exit, common pasture, and all other easements which pertain or ought to pertain in any manner to the said town: I will also and grant that whenever the said Richard his heirs or assignees shall happen to be fined in my court from whatever cause that he shall pay in full for each fine 12 pence: Paying each year the said Richard his heirs and assignees to me and my heirs one penny in the town of Barw at the Feast of S. Kentigern in name of fee-firm, if asked by me or my heirs, for suits of court, ward, relief, and all services, customs, exactions, and demands, and for everything else which can be exacted from the said land: I will also and grant that the said Richard his heirs and assignees may grind their grain at my mill of Duncanlaw in multure, and they shall be next after harvest in grinding: I the said Eufamia and my heirs shall warrand and defend the said land with its pertinents to the said Richard his heirs and assignees against all men and women for ever: Witnesses, *etc.* (*H.*)

25. 8th Sept. 1346. *Notarial Copy, see No.* 67A, *of the following Charter:* Dauid dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos dedisse concesisse et hac presenti carta nostra confirmasse Patricio Flemymg dilecto et fideli nostro officium vicecomitis tocius vicecomitatus de Tweddale vna cum ducatu hominum tocius vicecomitatus predicti: Tenendum et habendum eidem Patricio et heredibus suis de nobis et heredibus nostris in feodo et hereditate libere quiete plenarie integre et honorifice cum feodis et liberis consuetudinibus quibuscunque ad dictum officium spectantibus seu iuste spectare valentibus in futurum quoquo modo: In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi: Testibus; Roberto Senescallo Scocie nepote nostro; Johanne Ranulphi comite Morauie domino vallis anandie et mannie consanguineo nostro; Patricio de Dunbar Comite Marchie; Malcolmo Flemyng Comite de Wigtoun; et thoma de Carnoto Cancellario nostro Scocie; Militibus: Apud Striuelyn octauo die Septembris Anno regni nostri decimo octauo (8 *Sept.* 1346).

TRANSLATION.

David, by the grace of God, King of Scots to all good men of his whole land Greeting: Wit ye that we have given, granted, and by this our present charter confirmed to our faithful lovit Patrick Fleming the office of Sheriff of all the sheriffdom of Tweddale with the command of the men of all the foresaid sheriffdom: To be held and had by the said Patrick and his heirs of us and our heirs in fee and heritage freely, quietly, fully, wholly, and honourably with feofs and whatsoever free customs pertaining or which ought justly to pertain in any way to the said office in future: In testimony whereof we have caused our seal to be appended to this our present charter: Witnesses, *etc.* At Stirling 8th day of September in the 18th year of our reign. (*H.*)

26. 1350. Hoc scriptum conuencionis editum apud Haddingtoun die Martis proxima ante festum Sancte trinitatis anno Domini Millesimo CCCmo quinquagesimo testatur quod facta fuit hec conuencio inter nobilem virum et discretum hugonem Giffard dominum de yestir ex parte vna et thomam dictum Goldharis et hugonem pistorem burgenses de haddingtoun ac tenentes dicti hugonis domini de yestir in vico de Giffardgatis ex altera videlicet quod dictus hugo dominus de yestir pro Salute anime sue predecessorum et successorum suorum concessit / dedit et confirmauit ad fundamentum / posicionem et constructionem finis orientalis pontis de haddingtoun duo tenementa duas particatas terre continencia / in fine boriali vici de Giffardgat ex parte

occidentali iacencia / tenenda et habenda dicta tenementa libere / quiete / pacifice et honorifice de me (se) et heredibus meis (suis) et assignatis quibuscunque inperpetuum vsui et sustentacioni dicti pontis cum libero introitu et exitu omnibus dictum pontem frequentare volentibus / pro quaquidem concessione / et libera confirmacione dicti thomas Goldharis et hugo pistor tenetur et fide media firmiter obligantur dicto hugoni domino de Yestir in duodecim denariis argenti soluendis annuatim eidem heredibus suis vel suis assignatis aut eorum ministris nomine eorumdem ad duos anni terminos per equales medietates ad festa pentecostes et Santi martini in hyeme sine vlteriori dilacione / aut alia prorogacione dolo / fraude vel malo ingenio Et si contingat dictos thomam et hugonem heredes suos et assignatos vel aliquos alios terras et tenementa infra dominium de Giffardgath qualitercunque occupaturos eosdem contingentia in solucione dictorum duodecim denariorum annuatim ut premittitur soluendorum in toto vel parte deficere quod absit obligant se / terras suas et tenementa vn vniuersa infra dictum dominium de Giffardgat et aliunde existencia / heredes suos et assignatos ac omnia bona sua mobilia et immobilia vbicunque locorum fuerint inuenta infra dominium domini regis et extra fore distringenda / capienda / abducenda / et ad voluntatem dicti hugonis domini de yestir heredum suorum / et assignatorum ac ministrum eorumdem quocunque fore vendenda licentia nullius ministri ad hoc petita vel optenta / quousque dicto hugoni domino de yestir heredibus suis vel suis assignatis aut ministris tam de dampnis iacturis et interesse si que vel quas sustinuerint vel incurrerint occasione dicti pecunie ad terminos prescriptos non solute quam de debito principali plenarie fuit satisfactum nullo proponendo obstante in contrarium Dictus vero hugo dominus de yestir heredes sui et assignati dictas duas particatas terre Stacioni pontis predicti Warandizabunt acquietabunt ac contra omnes gentes inperpetuum defendent / In cuius rei testimonium parti huius indenture penes prefatos thomam dictam Goldaris et hugonem pistorem / heredes suos et assignatos remanenti et inperpetuum remansure / sigillum predicti hugonis domini de yestir est appensum parti vero penes predictum hugonem dominum de yestir / heredes suos et assignatos remanenti ac inperpetuum remansure quia thomas dictus Goldharis et hugo pistor sepedicti ad confectionem presencium sigilla propria non habuerunt / Sigillum commune burgi de haddingtoun ad instanciam suam apponi procurarunt. Data et acta die loco et anno supradictis. (*H. and N.*)

TRANSLATION.

This writ, issued after a compact at Haddington, Tuesday after Feast of Holy Trinity A.D. 1350, bears witness that this agreement was come to between a noble and discreet man Hugh Giffard, Lord of Yester, on one part, and Thomas called Goldharis and Hugh Baker, burgesses of Haddington and tenants of the said Hugh Lord of Yester in the village of Giffardgatis on the other, namely that the said Hugh, Lord of Yester, for the weal of his soul and those of his predecessors and successors gave, granted and confirmed to the foundation, site, and construction of the east end of Haddington Bridge two tenements containing two pieces of land in the north end of the village of Giffardgat lying on the west side: The said tenements to be held and had of him and his heirs and assignees whatsoever for ever for the benefit and upkeep of the said bridge with free entry and ish to all wishing to use the said bridge; for which grant and free confirmation the said Thomas Goldharis and Hugh Baker are held and firmly obliged by common faith to the said Hugh Lord of Yester to pay twelve silver pennies yearly to him, his heirs or assignees or their servants in their name in equal portions at two terms of the year, at the feasts of Pentecost and Martinmas, without further delay, or other extension, deceit, fraud, or malingine: And if it befalls that the said Thomas and Hugh their heirs and assignees or any other occupiers whatsoever of the lands and tenements within the lordship of Giffardgath fail to pay in part or whole the yearly sum of the said twelve pennies, which awanting, they do oblige them that their whole lands and tenements, within the said lordship of Giffardgat and elsewhere, their heirs and assignees and all their movable and immovable goods wherever they will be found within and without the King's realm can be destrained, taken, removed, and sold at the wish of the said Hugh

Lord of Yester his heirs and assignees or their servants whatsoever without asking and obtaining the licence of any official until the said Hugh Lord of Yester his heirs or assignees or their servants are fully satisfied of expenses incurred and interest, if any are sustained or incurred by reason of the non-payment of the said money at the foresaid terms and of the principal due no-one offering any obstacle in the contrary: The said Hugh Lord of Yester, his heirs, and assignees will warrand, acquit, and forever defend the said two pieces of land to the site of the said bridge against all people: In testimony whereof the seal of the foresaid Hugh Lord of Yester is appended to the part of the indenture to remain forever in possession of the said Thomas called Goldharis and Hugh Baker and their heirs and assignees: And to the part to remain for ever with the foresaid Hugh Lord of Yester and his heirs and assignees, because the said Thomas called Goldharis and Hugh Baker have no proper seals for the completing of these presents, the Common Seal of Haddington at their instance they caused to be appended: Dated and done, day, place, and year above mentioned. (*H.*)

26A. 26th Feb. 1361/2. A confirmatioun grantit be George Erl of Merch of the evidentis maid to William Muir and Neill Cunnungham of the daitt, the 26 Feb. 1361. *No.* 7, 1619 *Belton Inventory.* (*H.*)

27. 18th June 1366. Omnibus ad quos presentes littere pervenerint Radulphus de hoeme dominus de Nethirakehed in Cunynghame Willelmo filio Henrici balliuo meo de Nethirakehed Salutem, tibi precipio et mando quatinus visis presentibus sine dilacione saysinam hereditariam deliberacione facias Nigello de Cunynghame secundum tenorem carte sue de omnibus terris meis de Nethirakehed cum pertinenciis presences tibi reminebunt pro Waranto In cuius rei testimonium Sigillum meum presentibus apposui. Apud Loghmaban die sabatti octauo decimo die Junij Anno domini Millesimo cccmo lxvjo. (*H. and N.*)

TRANSLATION.

To all to whose notice these letters do come Ralph de Hoeme, Lord of Nethirakehed in Cunynghame, to William Henryson my baillie of Nethirakehed Greeting: I charge and command thee on sight of these presents without delay to give heritable sasine to Nigel de Cunynghame, in terms of his charter, of all my lands of Nethirakehed: These presents will remain with thee as a warrant: In testimony whereof I have appended my seal to these presents: At Loghmaben, Saturday, 18th day of June 1366 A.D. (*H.*)

27A. 5th August 1366. Tua chartouris of ane annuelrent of 45 merkis sterling out of Beltoun and Pitkockis grantit be William Muir of Monihaggen in favouris of Neill Cunninghame of the daitt the 5 of August 1366. *Nos.* 3 *and* 4 *of* 1619 *Belton Inventory.* (*H.*)

28. 1369-1385. Omnibus hanc Cartam visuris vel audituris · Georgius de Dunbar Comes Marchie et dominus Vallis Anandie et de Man Salutem in domini sempiternam Nouerit vniuersitas vestra nos · dedisse · concessisse · et hac presenti carta nostra confirmasse dilecto et fideli nostro · Nigello de Conyghame pro homagio · et seruicio suo · totas terras nostras de Beltona · et de Kynpalet cum pertinenciis infra Comitatum nostrum Marchie · iacentes · Quas quidem terras de Beltona et de Kynpalet cum · pertinenciis Willelmus More de Monyhagne · dominus earumdem · coram pluribus et sufficientibus testibus nobis cum fusto · et baculo sursum reddidit · ac omne ius et clameum que ipse Willelmus in dictis terris de Beltona et de Kynpalet cum pertinenciis habuit vel habere potuit · pro se et heredibus suis · inperpetuum quietum-clamauit et in manus nostras pure et simpliciter resignauit · Tenendas et habendas omnes predictas terras cum pertinenciis · prefato Nigello heredibus suis et suis assignatis de nobis et heredibus vel successoribus nostris Comitibus

Marchie in feodo et hereditate · In boscis · et planis · pratis pascuis · et pasturis · Moris Marresiis · Aquis · Stagnis · Molendinis · Multuris · et eorum Sequelis · cum tenandriis de Edyntona que tenetur de Beltona et cum officiis ffabri et braciatricis aucupacionibus venacionibus et piscariis · Et cum omnibus aliis commoditatibus libertatibus et aysiamentis tam sub terra quam supra terram tam non nominatis quam nominatis ad dictas terras spectantibus vel aliquo modo · spectare iuste valentibus in futurum · Adeo quiete · libere · et honorifice · in omnibus et per omnia sicut dictus Willelmus More · et antecessores sui ipsas terras de Beltona et de Kynpalet cum pertinenciis de nobis vel predecessoribus nostris Comitibus Marchie liberius quietius · plenius · et honorificentius aliquo tempore tenuerunt seu possiderunt ffaciendo inde dictus Nigellus et heredes sui et sui assignati Nobis et heredibus vel successoribus nostris Comitibus Marchie illa · et eadem seruicia que dictus Willelmus More et antecessores sui pro dictis terris de Beltona et de Kynpalet facere consueuerunt et debite tenebantur · Nos vero predictus Georgius et heredes nostri predictas terras de Beltona et de Kynpalet predicto Nigello de Conynghame et heredibus suis et suis assignatis · contra omnes homines et feminas Warantizabimus acquietabimus et inperpetuum defendemus In Cuius Rei testimonium presenti carte nostre sigillum nostrum fecimus apponi Hiis testibus reuerendo in Christo patre · domino Willelmo de Lavndels · Episcopo Sancti Andree · dominis Archebaldo de Dovglas · domino Galwydie · ex orientali parte aque de Creych · Jacobo de Douglas domino de Dalket · Willelmo de Dischyngtona · Militibus · magistro Johanne de Caroun · Rectore ecclesie de Racheu · magistro Roberto Bel perpetuo vicario de Karale · Alexandro de Ryklyntona · Roberto Leche Clerico nostro · et Multis aliis. (*H. and N.*)

Seal appended entire, but slightly defaced.

TRANSLATION.

To all who see or hear this charter George de Dunbar, Earl of March and Lord of Annandale and Man, Greeting in the Lord everlasting: Wit ye that we have given, granted, and by this our present charter confirmed to our beloved and faithful Nigell de Conyghame for his homage and service all our lands of Belton and Kynpalet with pertinents, lying within our Earldom of March, which said lands of Belton and Kynpalet with pertinents William More of Monyhagne, Lord thereof, before many and sufficient witnesses with staff and baton resigned to us, and all right and claim, which the said William had or could have in the said lands of Belton and Kynpalet with pertinents for himself and his heirs he quitclaimed forever and in our hands purely and simply resigned: All the said land with pertinents to be held and had by the said Nigell his heirs and assignees of us and our heirs or successors, Earls of March, in fee and heritage, in woods and plains, meadows, fields and pastures, moors, marshes, waters, stanks, mills, multures, and their sequels with the tenandries of Edynton which are held of Belton, and with smithies, brewhouses, hawkings, huntings, and fishings, and with all other commodities, liberties, and easements, beneath and above the earth, named or not, belonging to the said lands, or by any means justly belonging in future, as quietly, freely, and honourably in all and by all as the said William More and his ancestors at any time held or possessed the said lands of Belton and Kynpalet with pertinents of us or our predecessors, earls of March: Rendering therefor the said Nigell, his heirs, and assignees to us and our heirs or successors the same service as the said William More and his ancestors were accustomed to render for the said lands of Belton and Kynpalet and they have been duly held: We forsooth the foresaid George and our heirs shall warrand, acquit, and forever defend the said lands of Belton and Kinpalet to the said Nigell de Conynghame, his heirs, and assignees against all men and women: In testimony whereof we have caused our seal to be appended to this our present charter: Witnesses, *etc.* (*H.*)

29. 1369–1385. A duplicate of the foregoing, also sealed. In it all reference to Kynpalet is omitted, otherwise, except for a few small variations, it the same as No. 28. (*H.*)

29A. 24th Feb. 1369/70. Instrument of resignation of the Landis of Castelhill of Durisder be William Fotheringæ in favouris of Neill Cunninghame of the daitt the 24 of february 1369. *No.* 5, 1619 *Belton Inventory.* (*H.*)

29B. 24th June 1370. Ane obligatioun maid be Patrik Polwart of that Ilk in favouris of Neill Cunninghame of the daitt the day of St. Jon baptist 1370. *No.* 6, 1619 *Belton Inventory.* (*H.*)

30. 9th March 1373/4. Hec indentura facta Apud Drumtres nona die mensis Marcii Anno domini Millesimo CCCmo septuagesimo Tercio Inter Gilbertum filium quondam domini Johannis filii lachlani militis ex parte vna et Nigellum de Conyngham ex parte altera Testatur videlicet quod dictus Gilbertus dedit et concessit ac pro se et heredibus suis sursum reddidit domino regi terras tenementa et libertates suas cum pertinenciis in baronia de Glenkarne infra vicecomitatum de Drumfres Jacentes ad infeodandum hereditarie predictum Nigellum heredes et assignatos suos in dictis terris et tenandriis cum pertinenciis quibuscunque pro quibus concessione et resignacione predictus Nigellus obligatur predicto Gilberto in quatuor viginti marcas auri vel argenti et vaccis fetis ad tempora infra scripta soluendas intrante termino prime solucionis videlicet viginti marcas auri vel argenti in die confectionis presencium et ad festum Sanctorum Philippi et Jacobi inmediate post datum presencium Sequentes in vaccis fetis viginti marcatas secundum quod tempore se habent tunc in patria ad precium et ad festum Pentecosten proximo inde sequentes viginti marcas in auro vel argento et ad festum sancti martini in yeme proximo inde sequentes viginti marcas in auro vel argenti (Nichil ominus dictus Gilbertus manebit in dictis terris pro toto tempore vite sue et habebit liberum tenementum) Exitibus Curiarum exceptis que mediatum inter prescriptum Gilbertum et Nigellum diuidetur Eciam dictus Nigellus habebit possessionem omnium Silvarum predictarum terrarum a tempore confectionis presencium libere exceptis edificiis infra dictum dominium construendis que per uisum ballivi vel seriandi liberabuntur Et etiam dictus Nigellus faciet omnia seruicia forenceca et intrenceca domino regi Justiciario vel Vicecomiti de drumfres de dictis terris debita et consueta pro toto tempore vite sue et seruabit dictum Gilbertum ac homines suos indempnes In Cujus rei Testimonium Sigilla predictorum Gilberti et Nigelli alternatim sunt appensa Data die loco et anno supradictis hiis testibus fratre Johanne de maxistona Waltero Auenell et Willelmo del Mureheued cum multis aliis. (*H. and N.*)

TRANSLATION.

This indenture made at Drumfres, ninth day of the month of March 1373 A.D. between Gilbert, son of umquhile Sir John MacLachlan knight, on one part and Nigel de Conyngham on the other bears witness that the said Gilbert gave, granted, and for himself and his heirs resigned up to the Lord King his lands, tenements, and liberties with pertinents, lying in the Barony of Glenkarne and shire of Drumfres, to infeft heritably the said Nigel his heirs and assignees in the said lands and tenandries with pertinents whatsoever; For which grant and resignation the said Nigel is obliged to pay to the said Gilbert four score marks, gold or silver, and cows in calf at the times underwritten ; the first payment at term of entry, namely twenty marks in gold or silver at the day of making of these presents; and at the feast of SS. Philip and James, immediately following, cows in calf to the value of twenty marks, at the price they then obtain in the country; and at the feast of Penticost immediately following twenty marks in gold or silver, and at the feast of Martinmas immediately following twenty marks in gold or silver [nevertheless the said Gilbert will remain on the said lands for all the days of his life and have the freehold] exits of Courts excepted which shall be divided equally between the foresaid Gilbert and Nigel: Also the said Nigel will have possession of all the woods of the said lands free from the time of the making of these presents except the buildings to be constructed within the

said lordship which shall be freed at the sight of the baillie or serjeant: And also the said Nigel is to render all service, forinsec and intrinsec, to the Lord King, Justiciar, or Sheriff of Drumfres due and wont from these lands for all his life and will keep the said Gilbert and his men immune: In testimony whereof the seals of the foresaid Gilbert and Nigel are alternately appended. Dated day, place, and year above written: Witnesses, *etc.* (*H.*)

31. 10th March 1373/4. Vniuersis has litteras visuris vel audituris Gilbertus filius quondam domini Johannis filii lachlan militis Salutem Nouerit vniueritas vestra me ex certa sciencia et de bona causa fecisse constituisse et ordinasse facere constituere et ordinare dilectos amicos meos Johannem mercere Burgensem de Perth et Andream filium eius ac Robertum de Suyntona attornatos et procuratores meos vices meas habentes tam in genere quam in specie dando eisdem vel eorum duobus aut vni meam plenariam potestatem coniunctim et divisim in solidum ad sursum reddendum nomine et ex parte mea cum fusto et baculo pureque et simpliciter resignandum totas terras meas Baronie de Snade cum pertinenciis infra vicecomitatum de Drumfres in Manis Excellentissimi principis ac domini nostri domini Roberti dei gracia regis Scotorum illustris vna cum omni iure et clameo que Ego Gilbertus vel heredes mei quicunque in dicta Baronia cum pertinenciis habeo vel habent potero vel poterint infuturum ex aliquo titulo siue iure prout in litteris meis resignatoriis exinde confectis plenius continetur Ratum et gratum habentem et habiturum quicquid predicti Johannes Andrea et Robertus eorum duo vel vnus nomine et ex parte mea fecerint vel fecerit in premissis vel aliquo premissorum In Cuius rei testimonium presentibus Sigillum meum est appensum Datas Apud drumfres Xmo die mensis marcii Anno domini millesimo CCCmo Septuagesimo Tercio. (*H. and N.*)

TRANSLATION.

To all who see or hear these letters Gilbert, son of umquhile Sir John MacLachlan knight, Greeting: Wit ye that I, from sure knowledge and of good cause, have made, constituted, and ordained, and do make, constitute, and ordain my beloved friends John Mercer burgess of Perth, Andrew his son, and Robert de Suynton my attorneys and procurators, having my power in all and sundry, giving each and all of them my full power conjunctly and severally in full to give up in my name and behalf with staff and baton and purely and simply resign all my lands of the Barony of Snaid with pertinents in Drumfriesshire into the hands of the most excellent prince and our lord Robert, by the grace of God, illustrious King of Scots with all right and claim which I the said Gilbert, or my heirs whatsoever have in the said Barony with pertinents, or could have in future by any title or right as is more fully set out in my letters of resignation made thereupon: Whatever the said John, Andrew and Robert, or two, or one of them, in my name and behalf will do in these matters or any of the matters will be held valid and thankful: In testimony whereof my seal is appended to the presents: Dated at Drumfres 10th day of the month of March A.D. 1373. (*H.*)

32. 17th March 1374/5. Vniuersis presentes Litteras visuris vel audituris Nigellus de Cvnynghame dominus de yestyr salutem in domino sempiternam Noueritis me Johannem de Leys del Bothanys fecisse legaliter summonire ad ostandum mihi cartas suas et euidencias quibus clamauit de me tenere terras suas del Bothanys Gamylstona et de Duncanlaw cum pertinenciis et per quod seruicium Qui vero Johannes ad quendam diem sibi prefixum venerat mihi cartas suas et euidencias ostensurus quas propter alias occupaciones necessarias adtunc videre non volens eidem Johanni alium diem Legalem assignaui (mihi) dictas suas euidencias ostensuro et antequam dictus dies aduenerit predicte carte et euidencie sue ut dixit cum aliis bonis suis fuerant combuste ad quem nichilominus diem dictus Johannes venerat certificans multis aliis et mihi cartas suas et euidencias fuisse combuste mihi caritatis intuitu humilter supplicando quod sibi vellem concedere assisam proborum et fidelium ad inquirendum et cognoscendum tenorem cartarum et euidenciarum suarum predictarum Ad

cuius instanciam ob dei amorem inclinans dedi et concessi dicto Johanni assisam in loco que vocatur Catcluch infra territorium de Duncanlaw sextodecimo die mensis marcii anno domini Millesimo CCCmo lxxmo quarto ad cognoscandum super premissis et ex nostri vtriusque consensu pro perpetuo determinandum ad quem vero diem summonire feci omnes tenentes meos baroniarum de Morhame Duncanlaw et Yestyr alios proceres patere quam barones ad instanciam meam venire que rogaui De quibus cum consensu et assensu Jonete Giffard sponse mee mecum dictis die et loco sedentis super premissis fideliter inquirendis et finaliter ut premittitur determinandis assisam elegi ad quam assisam siue inquisicionem fuerant ordine et forma nominati uocati et magno interuenienti sacramento iurati Johannes de Spottyswod tunc temporis constabularius constabularie de Hadyngtona Dauid Broun dominus de Cumbyrcolstona Willelmus de Caudela dominus de Stevynstona Thomas de fforesta Johannes Yhole burgenses de Hadingtona Maliseus de Duns Willelmus filius Ade de Kydlaw Willelmus de Crumby burgensis de Hadyngtona Willelmus de Trauernent rector scolarum dicti burgi Johannes del Dale Jop Wyntyr Johannes Penyfadyr et Johannes filius Bricij Coram quibus iuratis ego dictus Nigellus a dicto Johanne de Leys tenente meo castri Wardam Merchet Heryelde et alia onera secularia que michi et consilio meo protunc videbantur exigenda petieram Que omnia dictus Johannes se pro terris suis debere penitus denegans et cum magna instancia exorans peciit omnes comoditates libertates et aysiamenta dictis terris suis pertinenciis vna cum seruiciis et oneribus inde debitis per dictam assisam pro dei amore declarari et finaliter determinari Qui iurati tunc se retraxerunt et inter ipsos diuturnam qui diligenti collacionem super premissis habitam ad presenciam meam vxoris mee memorate et Curie redierunt et per Johannem de Spottyswod predictum vnum dicte assise siue inquisicionis in quam omnes pro suo veredicte dicendo in vnum consencientes ostenserunt quod dictus Johannes de Leys et antecessores sui fuerunt vestiti et saysiti per quondam dominum Johannem Gyffard dominum de Yestyr de duabus terris cotagiis cum pertinemciis iacentibus in villa et territoriis del Bothanys et de Gamylstona et de (vno prato) quod vocatur Avymsinedv et cum omnibus aliis comoditatibus libertatibus et aysiamentis ceteris que iustis pertinenciis suis quibuscunque prout iacent in longitudine et latitudine per suas rectas metas et antiquas diuisas in Moris Maresiis turbariis petariis viis semitis boscis planis et omnibus communibus aysiamentis in communi pastura cum libero introitu et exitu cum brasina pistrina carnificis del Bothanys et quod sunt Romefre in molendino del Bothanys immediate post dominum soluendo inde vnam ferlotam de Celdra et quod sunt liberi de Bludewyt merchet Heryelde Castri Warda et omni secta Curie soluendo inde nomine quondam dicti domini Johannis Gyffard domini de yestyr et heredum suorum dictus Johannes de Leys et heredes sui monasterio de Dryburght sex solidos et octo denarios sterlingorum annuatim ad festa Pentecostes et sancti Martini in Hyeme per equales porciones in puram et perpetuam elimosinam nomine albe ferme tantum pro omnibus aliis seruiciis secularibus exactionibus et demandis que de dictis terris et tenandriis cum pertinenciis exigi poterint in futurum quovis modo vel requiri Et eciam dixerunt quod dictus dominus Johannes et heredes sui predictis terris del Bothanys et Gamylstona cum prato supradicto ac omnibus aliis aysiamentis supradictis predicto Johanni de leys et heredibus suis contra omnes mortales Warantizabunt acquietabunt in forma premissa in perpetuum et defendent Dixerunt eciam quod dictus Johannes de Leys possidet hereditagia sibi et heredibus suis per confirmacionem quondam domini Thome de Morhame militis domini eiusdem vnum tenementum in villa et territorio de Duncanlaw quod antiquitus vocabatur ffodringhamysland cum suis pertinenciis secundum quod iacent in longitudine et latitudine per suas rectas et antiquas diuisas cum communibus aysiamentis in communi pastura in Moris maresiis turbariis petariis boscis planis viis semitis cum libero introitu et exitu et erunt Rumefre in molendino immediate post domino soluendo tantum vnam firlotam de Celdra et quod tenet dictum tenementum libere de Blvdewyte Merchet et Heryelde Castri Warda et secta Curie et quod ulli —— communicabunt infra suum Severel a festo Inuencionis sancte Crucis usque ad festum omnium sanctorum Soluendo inde domino de Morhame et heredibus suis duodecim denarios argenti annuatim ad festum sancti Martini in Hyeme s

petatuntur nomine albe firme (tantum) pro omni alio seruicio seculari quod inde exigi poterit in futurum quouis modo vel requiri Quod quidem tenementum quod vocatur ffodrynghamysland cum pertinenciis suis supradictis predictus dominus de Morhame et heredes sui predicto Johanni de Leys et heredibus suis contra omnes mortales Warandizabunt in forma premissa in perpetuum et defendent Dixerunt eciam quod idem Johannes de Leys tenet et habet vnum tenementum in eadem villa de Duncanlaw quod vocabatur antiquitus terra quondam Thome filii mariote cum predictis condicionibus omnibus Soluendo inde annuatim domino de Morhame et heredibus suis vnum denarium argenti si petatur ad festum beati Martini nomine albe firme tantum pro omnibus aliis seruiciis secularibus que inde exigi poterint quovis modo vel requiri In quorum omnium et singulorum testimonium sigillum meum vna cum sigillis Johannis de Spottyswod domini eiusdem tunc temporis constabularii constabularie de Hadyngtona Willelmi de Caudela domini de Stevynstona Dauid Broun domini de Cvmbyrcolstona Thome de fforesta Johannis yhole et Willelmi de Crumby burgensium de Hadyntona et sigillum Willelmi de Trauernent magistri scolarum dicti burgi presentibus sunt appensa die loco et anno supradictis. (*H. and N.*)

Seal of Cunynghame and Broun still appended in fair condition.

TRANSLATION.

To all who see or hear these present letters I, Nigel de Cunynghame, Lord of Yestyr, give Greeting in the Lord everlasting: Wit ye that I have caused John de Leys of the Bothanys to be legally summoned to shew me his charters and evidents by which he claimed to hold of me his lands of the Bothanys, Gamylston, and Duncanlaw with pertinents and by what service, which said John came at a certain day assigned to him to shew me his charters and evidents, to look at which on account of other important matters I was then unwilling, and assigned the said John another lawful day to shew me his said evidents; and before the said day arrived his foresaid charters and evidents, as he alledges, with his other goods were burned, on which day nevertheless the said John compeared certifying to me and many others that his charters and evidents had been burned and humbly begged that I induced by charity, should grant him an inquest by true and faithful men to search for and inspect the terms of his foresaid charters and evidents: At whose desire, led by the love of God, I gave and granted the said John an assize in the place called Catcluch in the territory of Duncanlaw upon the 16th day of the month of March 1374 A.D. to inquire into the matter and by our final consent to determine it for ever; to which day I caused summon all my tenants of the Baronies of Morhame, Duncanlaw, and Yestyr to shew others, gentlemen as well as barons, whom I requested to come at my desire: Upon which with the consent and assent of Jonet Giffard my wife, sitting with me on the said day and place to faithfully inquire and finally, if possible, to determine the question, I chose an assize, to which assize or inquest in order and form were named, called, and sworn by the great oath, John de Spottyswod present constable of the Constabulary of Hadyngton; David Broun Lord of Cumbyrcolston; William de Caudel lord of Stevynston; Thomas de Forest, and John Yhole burgesses of Hadyngton; Malise de Duns; William Adamson of Kydlaw; William de Crumby burgess of Hadyngton; William of Tranent rector of the schools of that town; John of the Dale; Jop Wyntyr; John Penyfadyr; and John Fitz Brice; Before which jurors I the said Nigel asked from the said John de Leys my tenant Castleward, Merchet, Heryeld, and other secular burdens which then appeared to me and my council to be due, all which the said John utterly denied were due from his lands and pleading with great vehemence demanded that all the commodities, liberties, and easements pertaining to his said lands with the services and burdens due thence should be decided upon and finally determined by the said assize for the love of God, which jurors then retired and after diligently holding long discussion upon the matter among themselves returned to the presence of me, my foresaid wife, and the Court, and by John de Spottyswod foresaid, one of the said assize or inquest in which all agreeing upon their verdict, they found that the said John de Leys and his ancestors were vested and seized by

umquhile John Giffard, Lord of Yestyr, in two acres of cotland with pertinents lying in the town and territory of the Bothanys and Gamelston and a meadow called Auymsinedu with all other commodities, liberties, easements, and certain just pertinents as they lie in length and breadth by their right bounds and old marches in moors, marshes, turbaries, petaries, roads, paths, woods, plains, and all common easements in common pasture with free entry and ish with the brewhouse and bakehouse of the hangman of the Bothanys, and that they are room-free in the mill of the Bothanys immediately after the lord: paying therefor one firlot of wheat and that they are free from Bludwyt, Merchet, Heryeld, Castleward, and all suits of court; paying therefor in name of the said umquhile Sir John Giffard, Lord of Yestyr, and his heirs the said John de Leys and his heirs To the Monastery of Dryburgh six shillings and eightpence sterling yearly in equal portions at the feasts of Pentecost and Martinmas in pure and perpetual alms in name of blanch-firm for all other services, secular burdens, and demands which could be levied or in future demanded in anyway from the said lands and tenandries: And that they also found that the said Sir John and his heirs will warrand, acquit, and forever defend in due form the said John de Leys and his heirs against all mortals in the foresaid lands of the Bothanys and Gamylston with the foresaid meadow and all other foresaid easements; And they also found that the said John de Leys and his heirs possess by heritance by the confirmation of umquhile Sir Thomas de Morham, knight, Lord of that Ilk, a tenement in the town and territory anciently called Fodringhamsland with its pertinents as they lie in length and breadth by their right and old bounds with common easements in common pasture, moors, marshes, turbaries, petaries, woods, plains, roads, paths, with free entry and ish and they are room-free in the mill immediately after the lord; paying in full a firlot of wheat, and that he holds the said tenement free of Bludwyt, Merchet, Heryeld, Castleward, and suits of court, and that they all —— will share within his several from the feast of the Invention of the Cross to the feast of All Saints; Paying therefor to the Lord of Morhame and his heirs twelve silver pennies yearly at the feast of Martinmas, if asked, in name of blanch-firm in full for all other secular service which could be levied thence or in future by any method required, which said tenement called Fodringhamsland with its pertinents foresaid the said Lord of Morhame and his heirs will warrand in due form and forever defend to the foresaid John de Leys and his heirs against all mortals: They found also that the said John de Leys holds and has a tenement in the same town of Duncanlaw, anciently called the land of umquhile Thomas Mariota's son with all the foregoing conditions; Paying thence yearly to the Lord of Morhame and his heirs a silver penny, if asked, at the feast of Martinmas in name of blanch-firm in full for all other secular services which could be levied thence or in any way demanded: In testimony of all and sundry the foregoing my seal with the seals of John de Spottyswod, lord of that Ilk present constable of the Constabulary of Hadyngton: William de Caudel lord of Stevynston: David Broun lord of Cumbyrcolston; Thomas de Foresta, John Yhole; and William de Crumby burgesses of Hadyngton; and William of Tranent master of the schools of that town are appended to these presents, day, place, and year foresaid. (*H.*)

32A. 10th April 1376. A procuratorie of resignation of the Landis of Westbernis and utheris in the handis of King Robert of the daitt, 10 of Apryll 1376. *No.* 8, 1619 *Belton Inventory.* (*H.*)

32B. 6th Nov. 1376. A chartour of alienation of the Landis of Westbernis and utheris be Patrick Polwart in favouris of Neill Cunninghame, daitit the 6 Nov. 1376. *No.* 9, 1619 *Belton Inventory.* (*H.*)

33. 6th Dec. 1380. Robertus dei gracia Rex Scottorum Omnibus probis hominibus tocius terre sue clericis et laicis Salutem Sciatis nos dedisse concessisse et hac presenti carta nostra · confirmasse archibaldo de Cunynghame

filio Nigelli de Cunynghame totam baroniam de Snade cum pertinenciis infra vicecomitatum de drumfres que fuit dicti nigelli et quam idem Nigellus non vi aut metu ductus nec errore lapsus Sed mera et spontanea voluntate sua nobis per fustum et baculum sursum reddidit pure · et simpliciter resignauit · ac totum ius · et clameum que in dicta baronia cum pertinenciis habuit vel habere potuit · pro se et heredibus suis omnino quietum clamauit in perpetuum Tenendam et habendam eidem archibaldo et heredibus suis masculis de corpore suo legitime procreandis / quibus deficientibus heredibus dicti Nigelli legitimis quibuscunque / de nobis (*et*) successoribus nostris in feodo et hereditate · per omnes rectas metas et diuisas suas / cum omnibus et singulis libertatibus commoditatibus et asiamentis · ac iustis pertinenciis quibuscunque ad dictam baroniam cum pertinenciis spectantibus / seu quovis modo · iuste spectare valentibus in futurum · adeo libere et quiete · plenarie integre · et honorifice / in omnibus et per omnia / sicut dictus nigellus · dictam baroniam cum pertinenciis · de nobis ante resignacionem suam nobis exinde factam / liberius et quietius · plenius integrius et honorificencius / iuste tenuit seu possedit · ffaciendo inde seruicia debita et consueta · In Cuius Rei testimonium presenti carte nostre nostrum precipimus apponi Sigillum · / Testibus venerabilibus in Christo patribus Willelmo et Johanne · Cancellario · nostro · Sanctiandree et dunkeldensis ecclesiarum episcopis / Johanne primogenito nostro · de Carric Senescallo Scocie / Roberto de fyff et de Menteith filio nostro dilecto / Willelmo de Douglas et de Marr · consanguineo nostro / comitibus / Jacobo de Lyndesay nepote nostro · Carissimo / et Alexandro de Lyndesay consanguineo nostro / militibus / Apud Edynburgh / Sexto die decembris Anno Regni nostri decimo. (1380.) (*H. and N.*)

Fragment of Great Seal appended, in bad condition.

TRANSLATION.

Robert by the grace of God, King of Scots, to all good men, cleric and lay, of his whole land Greeting : Know ye that we have given, granted, and by this our present charter confirmed to Archibald de Cunynghame, son of Nigel de Cunynghame, all the barony of Snade with pertinents within the shire of Drumfres, which was the said Nigel's, and which the said Nigel, not led by force nor fear, nor lapsed in error, but from his mere and free will, resigned purely and simply with staff and baton to us ; and all right and claim he had or could have to the said barony for himself and his heirs fully quitclaimed forever : To be held and had by the said Archibald and his heirs male to be procreated of his body, whom failing the lawful heirs whomsoever of the said Nigel, of us and our successors in fee and heritage by its right marches and bounds with all and sundry liberties, commodities, easements, and whatever just pertinents belonging to or by any way which ought to belong in future to the said barony, as freely and quietly, fully, wholly, and honourably in all and by all the said Nigel, before this resignation herein made to us, justly held or possessed the said barony : Rendering therefor service due and wont : In tesimony whereof we have caused our seal to be appended to this our present charter : Witnesses, *etc.* (*H.*)

34. 20th Oct. 1386. Per hanc Indenturam cunctis pateat euidenter quod Adam de Edynetona dominus eiusdem assedauit et ad firmam dimisit domino Nigello de Cvnynghame domino de Beltona totam terram suam de Edynetona iacentem cum pertinenciis in Comitatu Marchie infra vicecomitatum Berwyci pro toto termino vite ipsius Ade a datu presentis Tenendam et habendam dicto domino Nigello heredibus suis et assignatis cum omnibus commoditatibus libertatibus et aysiamentis ac iustis pertinenciis quibuscunque ad dictam terram spectantibus et quomodolibet spectare valentibus in futurum libere quiete plenarie et integre tempore predicto persistente Et dictus dominus Nigellus ex sua mera voluntate assedabit et ad firmam dimittet firmariis totam predictam

terram de Egynetona cum pertinenciis meliori modo quo potuerit cum consensu et visu Patricii de Nesbyt domini de Ester nesbyt et henrici de Brothwyk ad commodum dicti Ade / et omnes firmas et emolumenta quas de dictis terris leuauerit vel leuare poterit medio tempore ex sua voluntate dabit dicto ade vel assignatis suis ad ipsius Ade sustentacionem sine more dispendio fraude vel dolo quocunque Et quandiu dictus dominus Nigellus nullas firmas vel emolumenta ad sustentacionem dicti Ade sufficientes de dictis terris propter guerram querere potuerit annuatim ex sua pura voluntate durante tempore predicto dicto Ade ad ipsius sustentacionem decem marcas sterlingorum accomodabit ad ipsius Ade necessitatem indilate Et dictus Nigellus et heredes sui tenebit vel tenebunt totam predictam terram de Edynetona cum pertinenciis in manibus suis quousque ipse vel ipsi totam summam pecunie quam ipse dicto ade ad ipsius sustentacionem alias accomodauerit de eadem terra leuauerit vel leuauerint sine fraude / vel dolo per heredes dicti Ade eidem Nigello vel heredibus suis de dicta pecunie summa plenarie fuerit satisfactum (*sic*) Et concordatim est inter partes predictas quod dictus Adam nec heredes sui nec aliquis nomine eorumdem totam predictam terram suam de Edynetona nec aliquem sui partem vendat vendent impignorabit impignorabunt dabit dabunt assedabit assedabunt incomodabit incomodabunt ne aliquo alio modo aliam vel aliquibus tempore medio alienabit nec alienabunt sine licencia dicti domini Nigelli vel heredum suorum capitalis domini sui predicte terre sue cum pertinenciis Ad que omnia et singula in omnibus punctis suis et articulis forma pariter et effectum fideliter et firmaliter obsueruanda dictus Adam tactis sacrosanctis ewangelis iuramentum prestitit corporale In cuius rei testimonium presentibus Indenturis alternatim sigilla parcium sunt appensa Datam apud Hadyngtona xx^mo^ die mensis Octobris anno domini Millesimo CCCmo Octogesimo sexto. (*H. and N.*)

TRANSLATION.

By this Indenture may it be plainly patent to All that Adam de Edyneton, lord of that Ilk, has rented and let at rent to Sir Nigel de Cunnynghame, Lord of Belton, all his land of Edyneton, lying with pertinents in the Earldom of March within the shire of Berwick, for the duration of the said Adam's life, from the date of this present: To be held and had by the said Sir Nigel his heirs and assignees with all commodities, liberties, easements, and just pertinents whatsoever belonging to or which ought to belong in anyway to the said land in future freely, quietly, fully, and wholly during the said time: And the said Sir Nigel out of his mere wish rented and let at rent by rents all the said land of Edyneton with pertinents in the best manner which can be with the consent and at the sight of Patrick de Nesbyt, lord of Estir Nesbyt, and Henry de Borthwick for the benefit of the said Adam, and all the rents and emoluments which he will have levied or be able to levy from the said lands at any time he will give to the said Adam or his assignees for the keep of the said Adam without delay, cost, fraud, or deceit whatever: And when the said Sir Nigel can get no rents or profits sufficient for the keep of the said Adam from the said lands on account of war he will pay yearly from his free will during the said time to the said Adam for his keep 10 marks sterling without delay for the necessaries of the said Adam: And the said Nigel and his heirs will hold all the foresaid land of Edyneton with pertinents in their possession until they will have raised from the said land all the sum of money which they will have paid to the said Adam for his keep without fraud or deceit on the part of Adam's heirs and the said Nigel and his heirs fully satisfied of the said sum: And it is agreed between the said parties that the said Adam, his heirs, or anyone else in their name may not sell, nor wadset, give, rent, burden, nor in any way at any time alienate all the said land of Edyneton nor any part thereof without the licence of the said Sir Nigel and his heirs, lords in chief of the said land with pertinents: Firmly to observe all and sundry the above in all its points and articles as well in letter as in deed the said Adam took his personal oath touching the Holy Evangels: In testimony whereof to these presents Indentures the seals of the parties are alternately appended: Dated at Hadynton, 20th day of the month of October, A.D. 1386. (*H.*)

35. 1386. In dei nomine amen Anno a natiuitate euisdem Millesimo CCCmo lxxxmo sexto Indictione Octaua pontificatus Sanctissimi in Christo patris ac domini nostri domini Clementis diuina prouidencia pape Septimi anno Septimo In mei notarii publica et testium subscriptorum presencia ad hoc vocatorum constitutus discretus vir dominus patricius gray dominus partis capitalis baronie de Langforgrund pro tribunali sedens in villa de Langforgrund super quemdam montem qui dicitur hundhyll et quemdam processum Ibidem in vltima sua curia ductum super terris de litiltona et de louranstona de Octhtercummane publice legi fecit quo lecto dominum Thomam de haya tanquam porcionarium in capite terrarum de Lytiltona de Louranstona de octhtercummane vocare fecit in continente qui quidem dominus thomas humiliter comparuit petens declaracionem assise prout in vltima curia precedenti Ibidem fuerat determinata quomodo et per quod seruicium predicte terre de lytiltona de louranstona de Octhtercummane de dicto domino patricio gray tenebantur // ad quod vero predictus dominus patricius consilio peritorum plenius auisatus assisam proborum fecit leuari per quos rei veritas patenter poterat declarari quibus vero Juratis et assisa plenius determinata curiam intraverunt dicentes et promulgantes quod predicte terre de lytiltona de louranstona de Octhtercummane de dicto domino patricio gray tenentur in capite per Wardam releuium homagium et seruicium hoc facto et promulgato prefatus dominus patricius gray a dicto domino Thoma peciit homagium et seruicium sibi fieri pro parte sua predictarum terrarum prout Ibidem in assisa per fide dignos fuerat determinata ad quod prefatus dominus thomas respondens dixit quod pro terris de litiltona de louranstona de octhtercummane cum pertinenciis homagium faceret quod vero wult ordo Juris vt dixit et ad hoc se obtulit promptum et paratum hoc responsio prefatus dominus Patricius patenter coram astantibus denegauit dicens quod vlterius quam pars sua predictarum terrarum extenderet ipsum non receptaret hoc dicto prefatus dominus thomas respondit et dixit quod dictus dominus patricius in plena curia promisit ipsum pro terris de litiltona de louranstona de Octhtercummane recipere in quantum quod ordo Juris in se postulat et requirit Ad quod vero prefatus dominus patricius concessit ipsum receptaret in quantum wlt ordo Juris // hoc petito et plenius in forma prescripta concesso prefatus dominus thomas in forma debita coram prefato domino patricio flexis genubus comparuit capite denudato dicens Ibidem pro verba de presenti homagium sibi facere pro terris de litiltona de louranstona de Octhtercummane quas de ipso tenet in capite // quod quidem homagium prefatus dominus patricius noluit receptare nisi homagium facere diuisim sibi declararet pro terris quas de dicto domino patricio tenet in capite infra terras de litiltona de loursantona de ochtercummane cum pertinenciis quod vero prefatus dominus patricius thomas facere negauit eo quod prius promisit ipsum recipere ad homagium faciendum vt postulat ordo Juris et hoc non fit ergo homagium diuisim eo quod fuit inconueniens facere recusauit protestatus et offerans se tunc et omni tempore futuro homagium facere Juridice promptum et paratum Super quibus omnibus et singulis prefatus dominus Thomas a me notario publico publicum requisiuit instrumentum Acta sunt hec apud langforgrund loco quo supra Presentibus discretis viris dominis thoma de haya constabulario scocie dauid de lyndesay de glenesk alano de Erskyne Militibus Johanne rollok Willelmo de camera et pluribus aliis testibus ad premissa vocatis specialiter et rogatis

"*Locus Signi*" Et ego nicholaus allatesse clericus Sancti Andree dyocesis publicus et apostolica auctoritate notarius predictis omnibus et omnibus dum vt premittitur agerentur et fierent vna cum prenominatis testibus presens fui eique sic fiere vidi audiui et signum meum consuetum apposui rogatus et requisitus in testimonium omnium premissorum. (*H. and N.*)

TRANSLATION.

In the name of God, Amen! In the year 1386 from the birth of Our Lord, eighth Indiction, and seventh year of the pontificate of the Most holy father in Christ and our lord Clement VII. by divine providence Pope, in presence of me

the notary public and the underwritten witnesses summoned to this present constitute a discreet man Sir Patrick Gray Lord of the head part of the barony of Langforgrund sitting in judgement in the town of Langforgrund upon a certain mound called Hundhyll and there a certain process continued from his last court upon the lands of Litilton and Louranston of Ochtercummane he caused to be publicly read, which read he instantly caused summon Sir Thomas de Haya on behalf of the heiresses portioners in chief of the lands of Lytilton of Louranston of Ochtercummane, which said Sir Thomas humbly compeared asking the verdict of a jury, as in the preceeding court it was determined, in what manner and by what service the said land of Lytilton *etc.*, are held of the said Sir Patrick Gray: Whereupon the said Sir Patrick, fully advised by the counsel of experts, caused choose a jury of good men by whom the truth of the matter can be declared, who being sworn in and the jury fully fixed upon, they entered the court saying and delivering that the said land of Lytilton *etc.* is held in chief of the said Sir Patrick Gray by Ward, relief, homage, and service: This done and announced the said Sir Patrick Gray asked the said Sir Thomas to do him homage and service for his part of the said lands as it had been determined in assize by the trusty men, to which the foresaid Sir Thomas replying said that he would do the homage for the lands of Litilton *etc.* with pertinents which the letter of the law requires, as he said, and to this he offered himself prompt and prepared: This reply the foresaid Sir Patrick openly refused before the bystanders, saying that farther than his part of the said lands extended he would not admit him, which said the foresaid Sir Thomas replied and said that the said Sir Patrick promised in full court to receive him for the lands of Litilton *etc.*, in as far as the letter of the law therein demanded and required: To which the said Sir Patrick agreed and entered him in as much as the letter of the law requires: This sought for and more fully granted in prescribed form the foresaid Sir Thomas in due form compeared before the foresaid Sir Patrick kneeling with bare head and offering *verba de presenti* to do homage for the lands of Litilton *etc.*, which he held of him in chief: which said homage the foresaid Sir Patrick refused to receive unless he said that he did him part homage for the lands which he held in chief of the said Sir Patrick within the lands of Litilton *etc.*, which indeed Thomas refused to do because the said Sir Patrick at first promised to receive him to do homage as the letter of the law demands and, this not being accepted, he refused to do homage in part because it was not convenient, protesting and offering himself then and at all future time prompt and ready to do lawful homage: Upon which all and sundry the foresaid Sir Thomas demanded from me the notary public an instrument: Done at Langforgrund in the above place: Witnesses, etc.: And I Nicholas Allatesse clerk of S. Andrews diocese, notary public by apostolic authority *etc.* (*H.*)

36. 19th July 1387. In dei nomine amen per presens publicum Instrumentum cunctis pateat euidenter quod anno dominj Millesimo Tricentesimo octuagesimo septimo Indictione decima pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidencia pape septimi anno nono mensis Julii die xixa in domo capitulari Monasterii de abirbrothok sancti andree diocesis In mei notarii publici et subscriptorum testium presencia personaliter constitutus Venerabilis vir Magister Johannes de lychtona officialis curie Sanctiandree / Ex commissione speciale Reuerendi in Christo patris domini Walteri dei gracia Sanctiandree / Episcopi vt assuerit pro tribunali sedendo / assistentibus sibi quam pluribus viris nobilibus et peritis fecit ad suam presenciam conuocari Religiosum virum fratrem Andream ordinis (Sancte) trinitatis de Redempicione captiuorum et discretum virum dominum dauid de Stryflyn ibidem presentes / Necnon venerabilem patrem dominum Walterum abbatem de Cupro ordinis cisterciensis Sanctiandree diocesis / ad audiendam sententiam diffinitivam ordinacionem et decretum super ecclesia parochialia de Ketnes eiusdem Sanctiandree diocesis quam quilibet pertinere predictorum sibi vendicione voluit et ad se pertinere assuerit per suas euidencias et instrumenta que eidem domino Episcopo exhibuerat Et quamuis Idem abbas sepius vocatus et ad horam debitam expectatus nullo modo comperere curasset

Ipse tamen officialis Nomine quo supra iuxta desiderium huius diei prout in actis cause precedentibus continetur / sentenciam suam ordinacionem seu decretum in quadam cedula papirea quam tenebat contenta perlegit Cuius tenor sequitur et est talis Nos Johannes de lichton Officialis curie Sanctiandree pro tribunali sedentes in domo capitulari Monasterii de abirbrothok Sanctiandree diocesis quem locum ad hoc elegimus / attentis et consideratis instrumentis Juribus et munimentis in hac causa productis habitoque consilio cum dominis prelatis et diuersis Juris peritis de Speciali mandato domini Episcopi Sanctiandree per hanc nostram sentenciam et ordinacionem pronunciamus decernimus et declaramus dictam ecclesiam de Ketnes cum suis Juribus et pertinenciis vniuersis pertinnisse pertinere / et pertinere debere ad ordinem sancte trinitatis de redempcionem cap(tiuorum) —— que per magistrum pontis berwyci et fratres eiusdem ordinis regenda et gubernanda f—— ex commissione ministri generalis eiusdem ordinis vel alterius p—— —— —— —— tenus consuetum Quamdamque ecclesiam cum suis pertinenciis et suis possessionem eidem ordini et fratribus eiusdem ac fratri Andree magistro pontis berwyci domino nostro (rege?) tenienti adherenti reddendam et restituendam fore et quantum possimus reddimus et restituimus / Ipsem que ordinem et fratres ipsius ad eius possessionem corporalem cum pertinenciis restituendos et reintegrandos fore et restituimus ac reintegramus predictos que abbatem conuentum de Cupro necnon magistrum Dauid de Strevelyn a dicta ecclesia cum pertinenciis et eius possessione amonendos fore et amonemus / ipsis que super eadem et ipsius possessione / perpetuum silencium inponendum fore et inponimus / Condempnacionem expensarum et financiarum omittentes ex De quaquidem Sentencia sic per dominum officialem ut predicitur perlecta dictus frater Andreas per me notarium publicum Infrascriptum sibi peciit fieri publicum Instrumentum Acta fuerunt hec anno Indictione mense die pontificatu et loco quibus supra presentibus venerabilibus et discretis viris domino Willelmo de badingtoun perpetuo vicario eiusdem domino thoma de balmanach capellano Johanne fforman Johanne trayl et thoma moffet Sancti Andree et abirdonensis diocesis testibus ad premissa vocatis specialiter et rogatis Et in firmum testimonium permissorum sigillum dicti domini officialis presentibus est appensum.

"*Locus Signi.*" Et ego Thomas de Edenham clericus abirdonensis Diocesis publicus auctoritate Imperiali notarius dum premissa modo quo supra agerentur et fierent una cum prenominatis testibus presens interfui hoc que publicum instrumentum inde confeci cui consuetum signum meum apposui in testimonium veritatis rogatus specialiter et requisitus. (*H. and N.*)

The tag and seal have been torn away. The parchment is in bad condition, worn and in holes, and the ink has faded.

TRANSLATION.

In the name of God, Amen! By this present public Instrument be it plainly patent to all That, in the year of Our Lord 1387, tenth indiction, ninth year of the pontificate of the most holy father in Christ and our lord Clement VII. by divine providence, Pope, and 19th day of the month of July: In the Chapter House of the Monastery of Arbroath in the diocese of S. Andrews, and in presence of me the notary public and the underwritten witnesses a Venerable man Master John de Lychton, Official of the Court of S. Andrews, by virtue of his special commission from the Reverend father in Christ Sir Walter by the grace of God, Bishop of S. Andrews, sitting in judgement, several noble and learned men assisting him, caused summon to his presence a religious man, Friar Andrew of the Order of the Holy Trinity for Redemption of Captives, and a discreet man Sir David de Stryflyn, both present, and also a venerable father Sir Walter, Abbot of Cupar of the Order of Citeaux, to hear final sentence, ordinance, and decreet upon the Parish Kirk of Ketness in the said diocese of S. Andrews, which each of the foresaid parties claimed to pertain to him by sale and asserted to pertain to him by his evidents and instruments which he had shewn to the said Bishop: And, although the said

Abbot was summoned very often and tarried for until the appointed hour, he neglected to compear by any manner, therefore the said Official in name as above, in terms of the petition for this diet, as is contained in the former acts on this cause, read his sentence, ordinance, or decreet contained in a paper schedule which he held, whose tenour follows thus:— We John de Lichton, Official of the Court of S. Andrews, sitting in judgement in the Chapter House of the Monastery of Arbroath in the diocese of S. Andrews, which place we chose for the purpose, the instruments, rights, and muniments produced in this cause having been examined and considered, and counsel taken with my lords the prelates and diverse rights sought for at the especial command of my lord Bishop of S. Andrews: By this our sentence and ordinance we pronounce, decern, and declare, that the said Kirk of Ketnes with its rights and all pertinents has pertained, pertains, and ought to pertain to the Order of Holy Trinity for Redemption of Captives —— which is ruled and governed by the Master of the Bridge of Berewick and the Friars of that Order —— by commission from the Minister General of that Order or another —— —— —— —— which Kirk with its pertinents and possessions To the said Order, and the Friars thereof, and Friar Andrew Master of the Bridge of Berwick, holding of and adhering to our lord the King, shall be returned, and restored; and so far as we are able we return and restore; And the said Order and Friars thereof shall be restored to, and replaced in personal possession thereoof with its pertinents; And we restore and replace them: And we warn the foresaid Abbot and Convent of Cupar, and Master David de Strevelyn from the said kirk with its pertinents and the possession thereof; And we impose perpetual silence on them concerning this possession, omitting penalty of expenses and costs: Upon the sentence thus read by the Lord Official as above the said Friar Andrew asked a Public Instrument to be made by me the Notary public withinwritten: These acts were done here in the year, indiction, month, day, pontificate, and place abovewritten: Witnesses these venerable and discreet men, Sir William of Hadingtoun vicar thereof, Sir Thomas de Balmanach chaplain, John Forman, John Trayl, and Thomas Moffet of the dioceses of S. Andrews and Aberdeen, Specially called and summoned to the premises; and in sure testimony of the above the seal of the said Lord Official is appended. And I Thomas de Edenham, clerk of the diocese of Aberdeen, notary public by Imperial authority, while the premises were being done as above, was present along with the above-named witnesses; and have made hereupon this public instrument, to which I have appended my usual sign in testimony of verity as specially summoned and required. (*H.*)

37. c. 1390. Omnibus hanc Cartam visuris vel audituris · Robertus ffilius hugonis dominus de Donovane Salutem in domino sempiternam · Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse · nobili viro domino thome de haya de lochorwart Militi · totam terram que vocatur gowrlayis land in tenemento de barw infra baroniam de doncanelaw cum pertinenciis · Tenendam et habendam totam terram predictam cum pertinenciis dicto domino thome et heredibus suis · sine aliquo retenemento michi vel heredibus meis in hac parte · de dominis capitalibus eiusdem terre in feodo et hereditate libere quiete plenarie integre et honorifice per omnes rectas metas et diuisas suas in boscis et planis pratis et pascuis · moris et marresiis aquis et stagnis cum communi pastura et omnibus aliis libertatibus commoditatibus et aysiamentis et Justis pertinenciis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram in omnibus et per omnia ad dictam terram spectantibus seu spectare valentibus in futurum · Adeo libere quiete plenarie integre et honorifice · Sicut ego dictus robertus uel aliquis predecessorum meorum dictam terram cum pertinenciis liberius quietius plenius integrius et honorificencius tenui uel tenuit · posedi uel possedit · ffaciendo inde annuatim dictus thomas et heredes sui · dominis capitalibus eiusdem terre seruicium pro eadem debitum et consuetum · In cuius rei testimonium presenti carte mee Sigillum meum apposui · hiis testibus · Malcolmo ffleming patricio grahame Willelmo grahame · Alexandro grahame militibus · Willelmo de haya

· Willelmo boide · Johanne boide · Johanne de Geddas et multis aliis (*H. and N.*)

Seal appended in good condition.

TRANSLATION.

To all who see or hear this charter Robert Fitz Hugh Lord of Donovane Greeting in the Lord everlasting : Wit ye that I have given, granted, and by this my present charter confirmed to a noble man Sir Thomas de Haya of Lochorwart, knight, all the land called Gowrlayis land with pertinents, in the tenement of Barw, within the Barony of Doncanelaw : To be held and had by the said Sir Thomas and his heirs without any withholding by me or my heirs of the head lords of the said land in fee and heritage freely, quietly, fully, wholly, and honourably, by its right bounds and marches in woods and plain, meadows and pastures, moors and marshes, waters and stanks with common pasture and all other liberties, commodities, easements, and just pertinents whatsoever, named or not, under or above the earth, in all or by all belonging to or which ought to belong to the said land ; as freely, quietly, fully, wholly, and honourably, as I the said Robert or anyone of my predecessors held or possessed the said land : Rendering therefor yearly the said Thomas and his heirs service due and wont for the said land to the head lords thereof : In testimony whereof I have appended my seal to this my present charter : Witnesses, *etc.* (*H.*)

38. 1395. Presens indentura testatur quod cum longa quedam controuersia mota fuisse inter reuerendos et religiosos viros dominos abbatem et conuentum monasterij de Melros ex parte vna et nobiles viros dominos Thomam de la Hay ac Malcolmum flemyg Milites ex parte altera super diuino officio apud kingilduris per dictos religiosos peragendo tandem per tractatum amicabilem inter partes vtrasque concordatum est sub forma que Sequitur videlicet quod iidem religiosi facient duas missas qualibet septimanai nter primam horam diei et nonam celebrari per vnum capellanum conducticum in loco predicto de kingilduris vnam scilicet die dominico et alteram aliquo die festo Si et quum contigerit in ebdomida quum vero contigerit tunc die mercuri veneris aut sabbati prout commodius fieri poterit Sit quod idem capellanus non teneatur nisi ad voluntatem suam ibidem residere Et misse iste fient ibidem sine defectu fraude et omissione nisi ob communem guerram hominum pestilencia seu personarum ac capellanorum paucitatem in regno Scocie vel aliam racionabilem et grandem causam dicte due misse vt prefertur intermitti compellantur Postea vero temporis oportunitate captata et predictis defectibus per diuinam clementiam cessantibus secundum racionis et discretionis considerationem eedem misse vt predictum est rite et debite perimplebuntur vna cum cotidiana missa pro defunctis in dicto monasterio ad illud altare in quo memoria de la fraseris frequentari solebat vel ad aliud altare si ipsum destructum fuerit aut non paratum celebranda memoriter pro anima domini Simonis fraser militis primi donatoris dictarum terrarum et pro animabus omnium antecessorum et successorum suorum ac omnium fidelium defunctorum Pro omnino alio seriucio exactione calumpnia seu demanda que de predictis terris de kingilduris et hopkarthijn cum pertinenciis per dictos milites heredes eorumdem ministros quoscunque executores vel assignatos seu quoslibet alios nomine et ex parte eorumdem exigi poterunt quomodolibet vel requiri Et ad hec fideliter peragenda iidem religiosi obligant easdem terras suas de kingilduris et hopkarthum fore legaliter distringendas per predictos milites et heredes seu ministros eorumdem si preter casus prenotatos dicte misse fuerint omisse quosque de eisdem sufficienter et racionabiliter per visum fidedignorum fuerit satisfactum Ipsi vero milites pro se et heredibus suis executoribus et assignatis promiserunt sponte et fideliter manuceperunt quod istas condiciones facient integre ex parte eorumdem obseruari et hiis tantummodo contenti erunt sine aliquo gravamine calumpnia vexacione et litis strepitu qualitercumque eisdem religiosis presentibus et futuris vel terris aut eorumdem tenentibus inperpetuum inferendis In quorum

omnium testimonium vni parti presentis Indenture penes predictos milites remanenti Sigillum commune Monasterii prefati de Melros vna cum Sigillo Domini Abbatis eiusdem est appensum Alteram vero partem penes prefatos religiosos remanentem predicti Milites Suis Sigillis Sigillauerunt Anno Domini Millesimo CCCmo Nonagesimo quinto.

INDORSED.

Ane Indentour betuix the abbot and convent of melros on the ane parte and Thomas hay and lord flemying on the uther parte.

Seal of the abbot still appended in fair condition: legend "S. dauid de benyn abbatis de melros."

TRANSLATION.

This present Indenture bears witness that, after a long controversy had been waged between the reverend and religious men, the Abbot and Convent of the Monastery of Melrose, on the one part; and the noble men, Sir Thomas de la Hay and Malcolm Flemyg knights, on the other, anent the performing of divine service by the said religious at Kingilduris, it is finally by friendly compact agreed upon between the parties as follows in this form; namely, that the said religious cause two masses weekly when they please to be celebrated between the first and ninth hours of the day by a stipendiary chaplain in the foresaid place of Kingilduris, one on Sunday and the other on a feast day except when it falls in Ebdomida then on Wednesday, Friday, or Saturday as he will be able to do it; and the said chaplain shall not hold them unless at his own will he resides there; and these masses will be done there without defect, fraud, and omission, unless on account of general war, pestilence among men, or scarcity of parsons or chaplains in the realm of Scotland, or other reasonable or great cause the foresaid two masses are forced to be discontinued; thereafter, the opportunity of the times taken and the foresaid defects removed by divine clemency, according to reason and discretion the said masses as above will be performed ceremoniously and properly along with a daily mass for the dead in the said monastery at the altar used frequently in memory of the Frasers or at another altar, if the first is destroyed or not prepared for celebration, in memory of the soul of Sir Simon Fraser knight, first donor of the said lands, and for the souls of all his ancestors and successors and all the faithful dead for all other service, exaction, burden, or demand which can be asked for the said lands of Kingilduris and Hopkartkin with pertinents by the said knights, their heirs, servants whomsoever, executors, or assignees, or anyone in their name and behalf: And to perform this faithfully the said religious cause their said lands of Kingilduris and hopkarthin to be liable to be distrained upon by the said knights, their heirs or servants, if, on account of the abovenoted reasons, the said masses are omitted, until they are satisfied from the said lands sufficiently and reasonably at the sight of trustworthy men: The said knights for themselves, their heirs, executors, and assignees have promised and freely and faithfully undertaken that they will cause the said stipulations to be fully observed on their part and will instantly satisfy the said religious, present and future, without other unjust demand vexation and noise of strife whatever; or render their lands or tenants liable forever: In testimony of all which the Common Seal of the said Monastery of Melrose with the seal of the Lord Abbot thereof is appended to that part of the present Indenture to remain with the foresaid knights: the other part to remain with the said religious the foresaid knights have sealed with their seals: A.D. 1395. (*H.*)

39. 1395-1399. Omnibus hanc cartam visuris vel audituris Willelmus de haya dominus de louchquorwart et de hoprew Salutem in domino sempiternam Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse dilecto consanguineo meo Johanni de geddesse pro humagio et servicio suo Omnes terras meas videlicet decem bouatas terre una cum dimidia parte unius terre que vocatur cotlande et sexta parte molendini in villa et domineo de

thankertona Infra vicecomitatum de lanerk cum pertinenciis tenendas et habendas dictas decem bouatas cum dicta dimidia parte que vocatur cotlande et sexta parte molendini predicti cum pertinenciis predicto Johanni de geddesse et heredibus suis masculis de corpore suo legittime procreandis quibus deficientibus Andree de geddesse secundo filio fratris predicti Johannis et heredibus suis masculis de corpore suo legittime procreandis quibus forsan deficientibus veris et legittimis heiedibus prefati Johannis de me et heredibus meis dominis de hoprew in feodo et hereditate imperpetuum libere quiete plenarie integre et honorifice per omnes rectas metas et diuisas suas in boscis et planis pratis et pascuis moris marracijs aquis stangnis piscationibus et aucupationibus viis et semitis fabrinis bracinis et eorum sequelis cum curiis curiarumque exitibus finibus et escatis mercetis et bludewytis cum multura ad sextam partem molendini predicti pertenenti Et cum omnibus redditibus quibuscumque michi infra dictam villam de thankertona seu domineum debitis annuatim ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis et Justis pertinentibus quibuscumque tam nominatis quam non nominatis tam sub terra quam supra terram in omnibus et per omnia ad dictas decem bouatas et dimidiam partem de cotlande et sextam partem molendini predicti infra dictam villam et domineum de thankertona spectantibus seu spectare valentibus quomodolibet in futurum adheo libere quiete plenarie integre et honorifice sicut ego dictus willelmus vel aliquis predicessorum meorum dictas terras et partem molendini cum pertinenciis de domino nostro rege liberius quietius plenius integrius et honorificensius tenui seu tenuit poscedi vel poscedit faciendo inde annuatim dictus Johannes geddesse et heredes sui predicti servicium domini nostri regis pro eisdem decem bouatas terre debitum et consuetum tantum pro aliis serviciis secularibus exactionibus questionibus seu demandis que per me uel heredes meos de dictis terris cum pertinenciis exigi poterunt uel requiri Et ego dictus willelmus et heredes mei domini de hoprew omnes terras predictas et partem molendini predicti cum pertinenciis dicto Johanni de geddesse et heredibus suis predictis Contra omnes homines et feminas varantizabimus acquietabimus et imperpetuum defendemus In Cuius Rei testimonium sigillum meum presenti Carte mee est appensum apud louchquorwart hiis testibus Reuerendos et nobilibus viris Jacobo de borthwic archdiacono laudonie willelmo de borthwic domino de ligertwode milite Alano de lawedre Johanne de haya fratre meo Johanne de borthwic willelmo flemyng Johanne fayrle et multis aliis. (*H. and N.*)

Seal appended in good condition. The arms are 3 escutcheons, no quarterings.

TRANSLATION.

To all who see or hear this charter William de Haya, Lord of Louchquorwart and Hoprew, Greeting in the Lord everlasting: Wit ye that I have given, granted and by this my present charter confirmed to my beloved kinsman John de Geddesse for his homage and service all my lands, namely, ten oxgangs of land with the half of a cotland and the sixth of the Mill with pertinents in the town and lordship of Thankerton, Lanarkshire: To be held and had by the said John de Geddesse and the heirs male of his body legitimately to be procreated, whom failing Andrew de Geddesse second son of the brother of the foresaid John and his heirs male, etc., whom failing, the true and lawful heirs of the said John, of me and my heirs, Lords of Hoprew, in fee and heritage forever freely, quietly, fully, wholly, and honourably by all their right bounds and marches in woods and plains, meadows and pastures, moors, marshes, waters, stanks, fishings, and hawkings, roads and paths, smithies, brewhouses, and their sequels with courts, exits of courts, fines and escheats, merchets and bludwytes, with the multure pertaining to the foresaid sixth of the mill, and with all profits whatsoever due yearly to me within the said town or lordship of Thankerton, and with all and sundry other liberties, commodities, easements, and righteous pertinents whatsoever, named or not, beneath or above the earth in all and by all pertaining to or by any means which ought to pertain in future to the said ten oxgangs, half cotland, and sixth of the mill within the said town and lordship of Thankerton, as freely, quietly, fully, wholly, and honourably as I the said William or anyone of my predecessors held or possessed the said land and part

of the mill with pertinents of our lord the King. Rendering therefore yearly the said John Geddesse and his heirs service due and wont to our lord the King for the said ten oxgangs as for other services, secular exactions, questions, or demands which can be asked or required by me or my heirs for the said lands with pertinents and I the said William and my heirs, Lords of Hoprew, will warrand, acquit, and for ever defend all the said lands and part of the mill with pertinents to the said John and his said heirs against all men and women: In testimony whereof my seal is appended to this my present charter at Louchquorwart: Witnesses, *etc.* (*H.*)

39A. 25th July 1396. A procuratorie of resignatioun be Elizabeth Lyndesay of the Landis of West Barnis in the handis of King Robert of the daitt the 25 of Julij 1396. *No.* 10, 1619 *Belton Inventory.* (*H.*)

40. 5th Feb. 1397/8. In nomine domini Amen per hoc presens publicum Instrumentum cunctis pateat euidenter quod anno ab incarnacione eiusdem MmoCCCmo nonagesimo septimo mensis ffebruarii die quinta Indicione sexta pontificatus sanctissimi in Christo patris ac domini nostri domini Benedicti diuina prouidencia pape Xiij anno quarto coram nobila domina domina Joneta de Giffart domina de Zester Willelmo de Sancto claro tunc ballivo suo pro tribunali sedentibus et me notario subscripto et testium infrascriptorum comparuit henricus de Cokbourn cum prolocutori suo Willelmo de Cokbourn domino de Scralyn dicte domine monstravit et publice perlegi fecit quasdam litteras patentes quarum una sub sigillo domini Johannis de Strathavane rectoris ecclesie de Morham de donacione cuiusdam pecie terre capelle de Duncanlaw sigillata et alia littera super assedacionem et suum dimisionem cuiusdam tenementi cum suis pertinenciis quondam Alexandri de Stratoune et sigllo thome de Dun quondam burgensis de hadyngtoune patente sigillata ut asseruit quas litteras sic ostensas et publice perlectas dictus Willelmus dictam dominam nomine et ex parte fratris sui antedicti cum instancia requisivit ut dicta domina dictas terras dictum henricum gaudere permittere voluerit prestauit eciam dictus henricus quod si aliqua bona super predictas terras invenire potuerit ea pro firmis preteritis distringendo voluerit Ad quod dicta domina in presencia plurimorum respondebat dicens quod mulier erat et conselio amicorum suorum ligata fuit et per illo die talibus evidenciis sibi fuerunt ignote Qua propter dicta domina sumptibus suis sub manu publica copias earundem sibi tradi peciit Ita vt concelio suo super hoc consulto infra tempus raconabile illum responsum dare potuerit effectuosum videlicet ante festum Sancte Elene proximo futurum quas copias ei conferre non tenebantur ut asseruerunt nec nellent neque comodum de dictis terris de terminis transactis prolongare vellent post cuiusquidem litterarum presentacionem et dicte domine ipsarum copiarum petitionem ac ipsarum denegacionem prefata domina a me notario publico subscripto sibi fieri peciit publicum Instrumentum Acta sunt hec in plana curia dicte domine de Zester tenta in ecclesiam de Bothanis sub anno die mense Indicione et pontificatu quibus supra presentibus Discretis viris et dominis hugone de Berclay domino de Kylbreny militi Johanne de Strathauane Johanne filio thome et Johanne broune rectoribus ecclesiarum de Morhame Bothanis et de Cranshawys Johanne Zounge de Shirrafe syd hugone de Wode cum aliis testibus ad premissis vocatis specialiter et rogatis.

"*Locus Signi.*" Et ego Johannes de Jedworth clericus Sanctiandree diocesis publicus imperiali auctoritate notarius, *etc.* (*H. and N.*)

TRANSLATION.

In the name of God, Amen! May it be plainly patent by this public instrument that, in the year from the Incarnation of Our Lord 1397, fifth day of the month of February, sixth indiction, and fourth year of the pontificate of the most holy father in Christ and our lord Benedict XIII. by divine providence Pope. Before a noble lady Dame Jonet de Giffart, Lady of Zester, and William

de Sinclair, then her baillie, sitting in judgement, and me the notary, and the witnesses underwritten there compeared Henry de Cokbourn with his prolocutor William de Cokbourn, lord of Scralyn, who shewed to the said lady, and caused to be publicly read certain patents, one sealed with the seal of Sir John de Strathavane, rector of the kirk of Morham, upon the gift of a certain part of the land of the Chapel of Duncanlaw, and another letter upon the assedation and his demission of a certain tenement with its pertinents of umquhile Alexander de Stratoune and plainly sealed with the seal of Thomas de Dun late burgess of Haddyngtoune as he asserted, which letters thus shewn and publicly read, the said William on behalf of his foresaid brother urgently requested the said Lady to permit the said Henry to enjoy the said lands ; and the said Henry promised that if he could find any goods on the said lands he was willing that they should be distrained for byrun rents : To which the said Lady in presence of many replied saying that she was a woman and bound by the counsel of her friends and they were ignorant to that day of such evidents, wherefore the said lady asked that copies should be made publicly for her at her own expense thereof, so that counsel upon this having been taken she would be able to give a reply within a reasonable time, namely before the Feast of S. Helen next to come, which copies to give her they were not bound, as they asserted, nor were they willing, nor did they wish to defray the profit of the said lands of the terms past after the presentation of the said letters : upon the desire of the said lady for copies thereof and the refusal thereof, the said Lady asked me the notary public underwritten to make her a public instrument : Done in the open court of the said Lady of Zester, held in the Kirk of Bothans in the year, day, month, indiction, and pontificate as above : Witnesses, *etc.*, specially called and summoned to the premises : And I John de Jedworth, clerk of S. Andrews diocese, notary public by Imperial authority, *etc.* (*H.*)

41. 25th February 1397-8. In dei nomine Amen per hoc presens publicum Instrumentum cunctis Pateat euidenter quod anno ab incarnacione eiusdem Millesimo CCC mo nonagesimo sepitimo mensis ffebruarii die · xxv · Indicione Sexta pontificatus Sanctissimi in Christo patris ac domini nostri domini Benedicti diuina prouidencia pape xiij anno quarto In mei notarii presencia et testium infrascriptorum ad hoc specialiter rogatorum · presencia personaliter constitutus Alexander de Stratouna filius et heres quondam Johannis de Stratoun confessus est in presencia reuerende domine sue domine Jonete de Giffart domine sue superiore terrarum suarum de Duncanlaw quod omnes dictas suas cum pertinenciis sibi hereditarie pertinentes infra dictam villam et territorium de Duncanelaw iacentes plane et omnino venditit cum omni Jure et clameo que dictis terris habuit Alexandro de Cokbourne defuncto quondam domino de langtouna pro quadam summa pecunie sine concensu · uel assensu aut aliqua lecencia domini sue superiore antedicte alienauit confessus fuit et dictus Alexander de Stratoun coram dicta domina et me notaris publico ac aliorum plurimorum quod inter ipsum et dictum Alexandrum de Cokbourne post supradictam vendiscionem dictarum terrarum euidencias assedacionis pro termino nouemdecim annorum predicto Alexandro de Cokbourne fecit et concessit super quibus omnibus et singulis superius enarratis tam de vendiscione et sine concensu domine sue superioris dictarum terrarum alienacione ac et de factura euidencia pro termino supradicto antedicta domina a me notario publico subscripto sibi fieri peciit publicum Instrumentum Acta sunt hec apud Duncanelaw sub anno die mense Indicione et pontificatu quibus supra Presentibus discretis viris et dominis Archebaldo de Cunynghame militi Johanne filio Thome Johanne broun rectoribus ecclesiarum de Cranshawis et Bothanis hugone de prestwik scutifero Johanne Zoung de Shiraffesyd cum aliis testibus ad premissa vocatis et rogatis.

Et ego Johannes de Jedworth clericus Sancti andree diocesis publicus Imperiali auctoritate notarius *etc.* (*H. and N.*)

TRANSLATION.

In the name of God, Amen ! May it plainly appear to all by this present public Instrument that, in the year 1397 from the Incarnation of Our Lord, of

the month of February the 25th day, sixth indiction and fourth year of the pontificate of the most holy father in Christ and our Lord Benedict XIII. by divine providence Pope, in presence of me the notary public and the underwritten witnesses specially summoned hither there compeared personally Alexander de Stratoun, son and heir of umquhile John de Stratoun, and confessed in presence of his reverend lady Dame Jonet de Giffart, his Lady Superior of his lands of Duncanlaw, that he had sold and alienated all his lands with pertinents belonging heritably to him lying in the town and territory of Duncanlaw plainly and fully with all right and claim he had in the said lands to the late Alexander de Cokbourne, umquhile Laird of Langtown, for a certain sum of money without the consent or assent or other licence of his foresaid Lady Superior; and the said Alexander de Stratoun confessed before the said Lady Superior, me the notary public, and many others that he made and granted to the foresaid Alexander de Cokbourne after the foresaid sale of the said lands evidences of assedation for the term of 19 years to the said Alexander de Cokbourn: Upon all and sundry this above narrated anent the sale and alienation of the said lands without the consent of his Lady Superior and of the making of evidents for the foresaid terms, the foresaid Lady asked me the underwritten notary to make her a public Instrument: Done here at Duncanelaw in the year, day, month, indiction and pontificate above written: Witnesses, *etc.*: And I John de Jedworth clerk of S. Andrews diocese, notary public by Imperial authority *etc.* (*H.*)

41A. 13th March 1398 9. Minute of an indentour betwene the Archbischop of Glasco and William the Hay Lord (so he is styled) Locherwode anent the kirk of Lyne 13 March 1398. *No.* 1 *of* 1622 *Locharret Inventory not in Reg. Eps. Glasg.*) (*H.*)

42. 15th January 1399-1400. Robertus dei gracia Rex scotorum Reuerendo in christo patri Gilberto eadem gracia episcopo Abirdonensi Cancellarie nostro salutem Sciatis quod confirmauimus donacionem et concessionem illas quas Willelmus de haya de lochquorwart et de hopreu fecit et concessit dilecto consanguineo suo Johanni de Geddesse pro homagio et seruicio suo de omnibus terris suis videlicet decem bouatis terre vna cum dimidia parte vnius terre que vocatur coteland et sexta parte molendini in villa et domino de thankartoune cum pertinenciis infra vicecomitatum de lanark Tenendis et habendis dictis decem bouatis cum dicta dimidia parte que vocatur coteland et sexta parte molendini predicti cum pertinenciis predicto Johanni de geddesse et heredibus suis masculis de corpore suo legittime procreandis quibus deficientibus Andree de geddesse secundo filio fratris predicti Johannis et heredibus suis masculis de corpore suo legittime procreandis quibus forsan deficientibus veris et legittimis heredibus prefati Johannis quibuscunque in feodo et hereditate imperpetuum adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut in carta dicti Willelmi sibi inde confecta plenius continetur Saluo seruicio nostro Quare vobis mandamus et precipimus quatenus cartan nostram sub magno sigillo nostro in forma capelle nostre debita dicto Johanni fieri faciatis super confirmacione nostra antedicta Datum sub sigillo nostro secreto apud Edinburgh decimo quinto die mensis January Anno regni nostri Decimo.

TRANSLATION.

Robert, by the grace of God, King of Scots to a Reverend father in Christ Gilbert, by the same grace Bishop of Aberdeen, our Chancellor Greeting: Wit ye that we have confirmed that gift and grant, which William de Haya of Lochquorwart and Hopreu made and gave to his beloved kinsman John de Geddesse for his homage and service, of all his lands namely, ten oxgangs of land with the half of a land called the Coteland and the sixth of the mill in the town and lordship of Thankartoune with pertinents in the shire of Lanark: To be held and had, the said ten oxgangs with the said half called the Coteland

and the sixth of the said mill with pertinents, by the foresaid John de Geddesse and the heirs male to be born lawfully of his body, whom failing by Andrew de Geddesse, second son of the foresaid John's brother, and the heirs male to be born lawfully of his body, whom perchance failing by the true and lawful heirs whomsoever of the said John, In fee and heritage for ever as freely and quietly, fully, wholly, honourably, well and in peace in all and by all as is more fully contained in the charter made thereanent to him by the said William, Reserving our service : Wherefore we command and charge you that you cause a charter to be made under the Great Seal in due form of our Chancery to the said John upon this our above-mentioned confirmation : Given under our Privy Seal at Edinburgh, fifteenth day of the month of January in the tenth year of our reign (10th year of Robert III., 1399). (*H.*)

43. 1400. Be it Knawyne til al yat yis lettir Heris or seis me Tassy of Maxwel lord of ye thrid part of Strathardil til haf gravntyt t fullele gyffyne til Dam Johanna gyffart lady of yhest my Eldmodir to by al ye landyis wt ye aptynance qwhilk was vmqwhil John of Statonys lyand wt in ye Barvnry of Dvncanlaw ye qwhilk land was haldyn of ye forsaid lady Dam John and for to tvrne it halely in hir oyise and for to gyf it to qwhat kirk of Chapel yat scho likys for ye merytabil heile of hir saule t hir foreldris t ourys and at our yat J conferm be yis my my (*sic*) lettir hir gyft in ye maner beforsaid t resyngys til hir al my reyth or clame yat I hafe in yat said land or my hafe til it be any maner of secular lauch cevile or canone in tym to come And gyf yat I ye forsaid Tassy or any of my ayris my atturnayis or my assignes agayn callis or agayn standis yis forsaid counand I obliste me my ayris or my atturnayis or my assignes or any in my name or throw me in fourty pvnd of sterlingis to be vpleftyt at the wil of any man lerd or lawyt yat happynys to duele wt ye said land or for to haf it eftir ye dissese of the forneyt lady my Eldmodir or yhit agayne call it in hir lyife or in any tym to come and to ye mar Sekyrnes of ye qwhilk thyngis fermly to be yhemyt t heldyne I haf svorne abodily athe in ye presence of syndry In ye witnese of the qwhilk thyng be cause yat I had na seal redy of my awyn I pcurit the seil of an honabile lady Dam Alice ye lydesay Porese of ye Nunnys of hadyngton t ye comone seile of ye Pryorese wt ye assent t ye consent of ye cowand of ye forne yt abbay to be set to yis psand lettir in ye absent of my seile Gyffyn at at (*sic*) Hadyngtone In ye yheir of our lord Jm ccc nynty ye tend : (*H. and M.*)

44. 20th May 1407. Confirmation by Archibald Earl of Douglas, Lord of Galloway and warden of the Marches of Scotland towards England, to Sir William of Haya of Lochorward, Knight, and his heirs, of a gift granted by the illustrious David late King of Scots to Patrick Flemyng, of the office of Sheriff of Peebles. Dated 20th May 1407. (*M.*)

Seal of the Earl, of which the greater part is in good state, the edges broken.

45. 4th Dec. 1409. Obligation, in vernacular, by Henry Sencler Earl of Orknay and William Sencler of Hirdmanstoun, Knights, to Sir William the Hay, Lord of Lochwhorwart, for Dame Margaret Countess of Marr and Angous, to secure the refunding of the sum of £100 scots ; to the said Sir William, his heirs, &c., within a year, if the contract of marriage of William of Douglas Earl of Angous, with a daughter, qwha sa hit be, of the said Sir William, fa. by reason of the death of the said Earl, if the marriage be fulfilled between the son and heir of the said Sir William and Elizabeth the sister of the said Earl of Angous, then the said £100 shall not be refunded—and if the said Earl oppose the said marriage the said Earl of Orkney and William Sincler bind them to pay to the said Sir William Hay £100 scots with £200 in name of costs. At Hirdmanstoun 4th December 1409. (*M. and H.*)

The seal of the Earl of Orkney is perfect, that of Sincler of Hirdmanstoun is lost.

46. 12th Dec. 1410. Acquittance by Margaret Countess of Marr and Angus to Sir William Hay Laird of Locherwart, of £100 "usuale money of the Kyngryk of Scotlande," in which he was obliged to her for cause of marriage of her son's son Wyllyhum of Douglas Eryl of Anguse and Larde of Ledalysdale. At Bagby 12th December 1410. (*M.*)

Seal gone.

47. 28th Sept. 1414. Charter by Archibald Earl of Douglas, Lord of Galloway and Annandale, in favour of Sir William de Haya of Lochworward, Knight, of the lands of Auchqwone, in the Sheriffdom of Wigton and Lordship of Galloway, on resignation thereof by Sir Thomas Makcowlauch, Knight, at the College of Linclowden in presence of many nobles, Holding to the said Sir William of the granter in fee and heritage, for services used and wont. At Edinburgh 28th September 1414. Witnesses, Sir Henry de Sancto claro Earl of Orkney, Sir William of Douglas of Drumlanrig, William of Borthwik of that Ilk, John of Moubray and John of Sinclair, Knights, Adam of Hepburne of Halis, Robert of Levinstoune, Robert of Hoppringil, William of Edmonstoun, William of Sinclair, Esquires, and Master James of Fawside secretary to the Earl of Douglas. (*M.*)

Seal of the granter in good condition. Seal is not attached.

Note.—This document is in a very wasted condition, and the matter of this abstract has been supplied from a copy which follows.

48. 28th Sept. 1414. Fifteenth Century Copy of the foregoing on paper. The following is jotted on the back. Of qwytsonday the zer of gras m iiij and XV (1415). Item. Thom hoye 4sh.2d. : It. Thom Alexandersoun 8sh.4d. : It. Jon Alixandersoun 8sh.4d. : Jon Alixandersoun, soun, 8sh.4d. : It. Jon of May 14sh. : It. Wil Roggersoun 6sh. : It. Wil. Jonson 5sh. : It. Robyn of Morham has tan fra Wil of blakby 15sh.7d. : It. the said Robyn 7 sh.10d. Of the mal of martymes. Alan Walkar 5sh. : It. to Howlota Stovoun 20d. : It. to Gras Ranis 16d. : It. Thom the hay 6sh. : It. to the lord 4sh. and 4d. : It. Jon Alisandersoun, soun, 8sh.4d. : It. the Wif 8sh. : It. Jon of Stratoun 4sh. : It. to Howlotta Stovoun 4sh. : It. Jon of Strattoun 4sh. : It. Robyn Rechardsoun has part £4-5sh. : It. Wil Jonsoun of Berford 10sh. : It. Wil Roggersoun 12sh.6d. : It. Patroun Dobsoun 4sh.8d. : It. Jon of May 15sh.10d. : It. Rechard of May 4sh.10d. : It. Wil Roggarsoun 4sh.2d. : Summa 56sh.

It. Androw Harddy has part of the mal 27sh.8d. : It. 40sh. . It. 8sh. for hymself : It. 17sh. : It. 10sh. for hymself : It. 8sh. : It. 13sh.4d. : It. 10sh. and sa Anddrow his award 8sh.6d. of the —— : It. balmalkyn 5sh.6d. : It. Thom smetht 35sh.10d. : It. to the lord 16sh.6d. : It. to the leddy 14d. : It. to the lord 12d. : and sa he is awand 5sh.6d. (*H.*)

49. 6th Oct. 1414. Precept by Archibald Earl of Douglas, Lord of Galloway and Annandale, to Outhred MacDowell sheriff of Wigton to infeft Sir William Hay of Louchorwart, Knight, in the lands of Auchqwhone, in the sheriffdom of Wigtoun and Lordship of Galloway. At Edynburgh 6th October 1414. (*M.*)

Seal of the Earl, in fairly good condition.

50. 6th Janry. 1414/5. Dispensation by Wm. Bishop of Glasgow, following on and narrating a letter to him from Pope Benedict (Anti Pope Benedict XIII.), dated 3 Ides Dec. an. pont. 19 (11 Dec. 1413), to Wm. de Douglas Earl of Angus and Margaret daughter of Sir Wm. de la Hay the elder, knt, although related in the fourth degree of consanguinity : Dated at the Castle of Zester, Feast of Epiphany (6 Jan.) 1414 : Witnesses, Wm. de Hay knt., lord of Zester ;

Wm. de Hay his son and heir; Wm. de Borthwic, son and heir of Sir Wm. Borthwic; Jas. de Lawedre; Rob. de Lawedre; Masters Jas. Walter Archdeacon of Thevidale; David de Narne; Sirs Thos. de Lawedre canon of Dunbar and others: Written by the Bishop's notary, Wm. Ra, priest Glasg. dio., N.P. I.a. (*H.*)

Fragment of Bishop Lawder's seal appended, red wax upon green.

51. 26th Jan. 1418/9. Indenture between William de la Hay Lord of Lochqwerwert Sheriff of Peblis with consent of William de la Hay his son and heir, on the one part, and Master Robert de Moffete canon of Glasgow and perpetual vicar of the parish kirk of Peblis, with consent of Sir William de Lawedyr Bishop of Glasgow and the chapter thereof, on the other part, whereby the said Sir William de la Hay and his heirs shall have the Kirklands lying from the water called Raburn on the west part; and the said vicar shall have the lands of Geddowrtefelde lying from the said Raburn on the east part, with all rights and liberties, manse, commodoties, &c., according to the marches as they are at the time of this contract. Dated at Peblis 26th January 1418. Witnesses, Thomas de la Hay, Sir William Ade dean of Peblis, John Gedas, Sir David Forestar vicar of Edylstown, and Adam Robertson burgess of Peblis. (*M. and H.*)

The seals of the Bishop, the chapter of Glasgow and the vicar have been appended; the first and last only remain and are somewhat defaced.

52. 18th Feb. 1418/9. Precept by Archibald Earl of Douglas, Lord of Galway and of Annandale direct to Robert of Crichtoun and his fallow Mcgyewe his officers, directing them to see the maills of the lands of aucht Qwhow lying in the said Lordship of Galloway and which pertain to Sir William the Haye of Louchorwart, paid to the said Sir William: At (Edinburgh) 18th February 1418. (*M.*)

Paper badly decayed and torn. Small fragment of Earl's seal remains.

52A. 23rd January 1419/20. A precept of Sasine be George Erle of Merch for giving seising to William Cunninghame of the Landis of Beltone and Kilpallet of the dait the 23 of January 1419. *No.* 12, 1619 *Belton Inventory.* (*H.*)

52B. 24th January 1419/20. Ane instrument maid be William Cranstoun Sheriff of the countie of Merch of a saising given be him to the said William (Cunningham) be vertew of the precept abune specifeit of the daitt the 24 Jarij 1419. *No.* 13, 1619 *Belton Inventory.* (*H.*)

53. 1st August 1420. Petition addressed to Henry Bishop of St. Andrews by William de Hay knight, Sheriff of Peebles; Thomas Boyd, with the consent of his eldest son and heir Thos. Boyd; Eustace Maxwell; and Dougal M'Dowel, co-lords of the Lordship of Zester and patrons in turn of the Parish Kirk of Bothanis craving the erection of the sain kirk into a College for a Provost and four Prebendaries: see No. 55, where this petition is embodied in the Foundation Charter by the Bishop. (*H.*)

The seals of the four granters are appended in fair condition. The seal of Sir William Hay shews the earliest example of the Hay of Yester arms, Fraser (in the 1st and 4th) quartering, Giffard (in the 2nd and 3rd quarters), and the Hay arms on a surtout. The crest is a ram's head.

54. 12th April 1421. Instrument at the instance of Dame Alicia de Hay Lady of Zeister, wife of Sir Wm. de Hay lord of Zeister, upon the consent of

Sir John Richardson Rector of the Parish Kirk of Bothans to its erection into a College Kirk in terms of No. 53, which was shewn to him, the seal of Eustace de Maxwell not yet affixed, on condition that a pension, to be fixed by the Bishops of S. Andrews and Glasgow, be paid him from the said Kirk: Done in the Castle of Ziester, in the room of the said Sir John, 12 midday, 12 April 1421: Witnesses, Sir Wm. Adam, Dean of the Christianity of Pebles; David de Borthwik; Thos. de Hay; Thos. Wode; and Andrew Roucel: Thos. de Lawedre, clerk S. And. dio., M.A., N.P., A.a. (*H.*)

55. 22nd April 1421. Universis Christi fidelibus ad quorum noticias presentes littere pervenerint Henricus permissione divina Episcopus Sanctiandree Salutem in omnium saluatore Splendor eterne glorie qui suam mundum illuminat ineffabili claritate pia vota fidelium de sue maiestatis clemencia tunc benigno favore prosequitur cum devota ipsorum humilitas et sincerus affectus in divini cultus augmentacione fervere noscantur piis que precibus et benemeritis adiuuantur Justis quoque postulantium precibus quos fides spes et caritas ad devocionis affectum et divini cultus augmentum continue sollicitant ut ad gratiam dispositi et ad gloriam iuvitati in piis actibus fervencius et instancius persuerent tam vigor et favor equitatis quam ordo racionis favere nos inducunt Nos igitur pium affectum nobilium virorum Willelmi de haya militis vicecomitis vicecomitatus de peblis thome boyde eustacii de maxwell et dowgalli makdowale condominorum porcialium dominii de Zester et compatronorum vicissim et alternis vicibus ecclesie parochialis de bothanis nostre dyocesis ipsorum unanimi consensu et assensu predictam ecclesiam de bothanis in perpetuum collegium seu collegiatam ecclesiam unius prepositi et quatuor capellanorum perpetuis temporibus duraturam quantum in eis fuit erigi cupiencium et erigencium ac nobis per suas patentes litteras ipsorum sigillis sigillatas ut hujusmodi erectionem ac ipsorum disposicionem et ordinacionem approbare et confirmare humilites supplicantium per nostri sollicitudinem officii ad effectum perduci debitum cupientes dictas litteras illorum ordinacionem et supplicacionem continentes recepimus quarum tenor de verbo ad verbum sequitur sub hiis verbis Reverendo in Christo patri ac domino Henrico permissione divina Episcopo sanctiandree Nos Willelmus de haya miles vicecomes vicecomitatus de peblis Thomas Boyde cum consensu et assensu thome Boyde filii mei primogeniti et heredis Eustacius de Maxwell et dougallus mc douell domini dominii de Zester porciales et compatroni vicissim et alternis vicibus ecclesie parochialis de Bothanis vestre dyocesis vestri filii humiles et devoti Reverencias omnimodas debitas cum honore Cum enim mundus vita presens et mundana (gaudia) transtoria et vana multipliciter dinoscantur Nos considerantes celestia perpetue duratura nostros animos pia devotione excitat et inducit ut de bonis temporalibus nobis a summo collatis eidem retributori et merito quam possumus reddamus eterna Intendentes terrena in celestia commutare ad perpetuam rei memoriam pro salute animarum nostrarum uxorum progenitorum nostrorum et sucessorum et omnium fidelium defunctorum ut cultus divinus in (sanctum) ecclesiam dei augeatur proposuimus et intendimus et unanimi consensu et assensu sine revocacione quacumque proponimus disponimus et ordinamus vestra autoritate ordinaria mediante prebendo confirmacionem de ordinatis per nos porciales et compatronos predictos in dictam ecclesiam de Bothanis perpetuum collegium unius prepositi et quatuor capellanorum perpetuis temporibus duraturum pro quorum sustentacione dictam ecclesiam dotamus modo et forma quibus sequitur videlicet prepositus qui pro tempore fuerit et in dicta prepositura presidebit omnes fructus redditus et proventus eiusdem ecclesie de bothanis cum suis pertinenciis percipiet pro tempore vite sue solvendo inde annuatim ad quatuor anni terminos ad festa pentecostes sanctilaurencii omnium sanctorum et purificationis beate marie viginti octo marcas usualis monete scocie proporcionaliter duobus capellanis uni videlicet decem libras qui curam in dicta ecclesia de Bothanis geret animarum una cum sufficiente mansione pro dicto capellano in terra ecclesiastica situata altei vero capellano tres decim marcas usualis monete scocie una cum sufficienti mansione in eadem terra ecclesiastica pro eodem Tercius vero capellanus totam terram de

Kirkbank vulgariter appellatam habebit que extendit ad valorem quatuor marcarum cum dimidia cum molendino in dicta terra situato extendente ad valorem duarum marcarum et unam mansionem in terra ecclesiastica cum orto situatam ad valorem unius marce et in augentacionem sue porcionis damus concedimus deo et dicte capellanie perpetue mortificamus quinque husbandlandis et quinque cotelandis iacentes infra terram de duncanelaw que extendunt ad valorem quinque marcarum cum dimidia Insuper nos compatroni predicti ordinamus et consentimus quod ecclesia de morame vestre dyocesis ad nostram vicissim et alternis vicibus presentacionem spectans cum vacauerit erit annexa dicto collegio et ecclesie de Bothanis et de ipsius ecclesie de morame fructibus fundabitur quarta capellania cuius capellanus fructus redditus et proventus eiusdem percipiet solvendo inde annuatim iura episcopalia et archidiaconalia debita et consueta et in eadem ecclesia de morame capellanus qui pro tempore fuerit parochianis faciet divinum servicium et alia sacramenta ecclesiastica debite deservire Prepositus vero predictus et qui pro tempore fuerit de fructibus dicte ecclesie de Bothanis iura episcopalia et archidiaconalia debita et consueta solvet prout rector eiusdem antequam in collegium fuerat erecta alias solvere consuevit Nos vero compatroni predicti ad dictam prepositurarn cum vacauerit iure debito presentabimus sine contradictione quacunque ad capellanias vero nostrum quilibet unum per se capellanum ydoneum presentabit cuius capellanie presentacio cuiusquam per se eidem presentanti et suis successoribus pertinebit Preterea nos compatroni predicti fundamus et ordinamus quatuor altaria in dicta ecclesia de Bothanis pro dicto preposito et capellanis inibi deo perpetue servituris In vestimentis libris calicibus tintinabulis vrceolis et aliis ornamentis sufficienter ornata ad que altaria et ornamenta iidem prepositus et capellani supportanda et totiens quotiens necesse fuerit renovanda cum pane vino candelis et aliis necessariis imperpetuum obligantur Item ordinamus quod quolibet die festo predictum prepositum et capellanos predictos una cum sufficiente clerico qui sciat legere et cantare ad magnum altare celebrabitur missa cum nota et alia missa cum nota ad altare nostre domine et quolibet alio die non festo una missa cum nota ad magnum altare et quod ad quamlibet missam (secretam) per predictos capellanos et eorum quemlibet celebrandum diebus festivis et non festivis dicatur pater noster cum ave maria in (exordio ?) misse pro animabus fundatorum cum aliis collectis in memento Idem vero prepositus et capellani in dicta prepositura et capellaniis facient residentiam personalem pro tempore vite sue aliam quoque curam seu servicium non habebunt et quod fuit bone conversationis et vite et quod quilibet admittendus ad capellanias predictas sit sufficiens in cantu et lectura et dicti prepositus et capellani dicient placebo et dirige cum nota pro animabus annuatim fundatorum viviventium et mortuorum et quolibet die obitus patroni decentis cum contingat dicti superius prepositus et capellani ad matutinas horas et vesperas cum nota dicendi diebus festivis obligantur et aliis non festivis cum commode potuerunt nisi cum ipsis a superiore causa rationabili exigente fuerit dispensatum absentes vero se a matutinis horis et vesperis predictis in toto vel in parte ad discrecionem prepositi puniantur nisi subsit causa rationabilis excusandi volumus insuper quod dicti capellani qui pro tempore fuerint suo preposito in hiis que concernent divinum servicuim sint obedientes in omnibus licitis mandatis et honestis Nos igitur prenominati compatroni vestre Reverende paternitate supplicamus humiliter et devote quatenus in hac parte nostrum desiderium adimplere dignetur gratiose dictam ecclesiam de bothanis in collegium erigendo prefatum que ecclesiam de morame cum vacuerit eidem ecclesie de Bothanis annexandam In cuius rei testimonium sigilla nostra presentibus sunt appensa primo die mensis augusti anno domini millesimo quadringentesimo vicesimo. Post quarum litterarum presentacionem et recepcionem pro parte predictorum nobilium vicibus repetatis nobis fuit instanter et humiliter supplicatum quatenus ipsorum disposicionem et ordinacionem ratificare et confirmare dictam ecclesiam de bothanis in collegium erigere ac ecclesiam parochialem de Morame nostre dyocesis cum vacauerit prefate ecclesie de bothanis annectere et unire et cetera omnia et singula in ipsorum nobilium litteris contenta ad effectum deducere ipsorumque desiderium adimplere dignaremur Qua ea propter predictorum nobilium devotionem considerantes affectiones ad dei omnipotentis laudem et

honorem et perpetuam animarum suarum memoriam et salutem matura deliberacione prehabita cum consensu et assensu prioris et capituli nostri sanctiandree prefatam ecclesiam de Bothanis in ecclesiam collegiatam erigimus et ipsum in perpetuum collegium per prefatos nobiles erectam necnon terrarum redditium et possessionum quarumcumque per prefatos nobiles prefate ecclesie de Bothanis et capellaniis in eadem fundatis datas concessas et mortificatas sub modis formis et reservacionibus infrascriptis approbamus ratificamus et pro nobis et successoribus nostris tenore presentium pro perpetuo confirmamus Salvo tamen nobis et sucessoribus nostris quibuscumque visitacione correctione et punitione canonica obediencia et iurisdictione omnimoda predictorum prepositi et capellanorum salvisque nobis et successoribus nostris iuribus episcopalibus et archdiaconalibus et procuracionibus quas nobis et successoribus nostris perpetuo reservamus salvis eciam nobis et successoribus nostris predictorum prepositi et capellanorum nobis per predictos compatronos totiens quotiens prescriptas prepositurarn et capellanias vacare contigerit presentandorum institutionibus et destitutionibus ac provisionibus et collacionibus capellaniarum et prepositure predictarum Et ut divinus cultus in predicta ecclesia collegiata de bothanis augeatur consentimus quod ecclesia parochialis de Morame cum vacauerit eidem ecclesie de Bothanis sit annexa proviso quod dicta ecclesia parochialis de Morame debitis non fraudetur obsequiis et animarum cura in ipsa nullatenus negligatur Sed quod unus capellanus ydoneus per predictos compatronos vel ipsorum aliquem vite sua quotiens predictam ecclesiam de morame vacare contigerit nobis et nostris successoribus presentetur a nobis nostrisque successoribus provisionem collacionem et institucionem recepturis qui de ipsius ecclesie fructibus redditibus et proventibus ad ipsius sustentacionem honestam sufficientem habeat portionem qui siquid capellanus apud dictam ecclesiam de morame teneatur personalem residentiam et eiusdem cure animarum debite ministrare Proviso eciam quod universa et singula onera et Jura ordinaria et episcopalia ac archidiaconalia ex dicta ecclesia de Morame persolvi debita et consueta nobis nostrisque successoribus et archidiaconis laudonie qui pro tempore fuerint ex ipsius fructibus redditibus et proventibus perpetuis futuris temporibus persolvantur In quorum omnium et singulorum testimonium erectionem perpetuam firmitatem atque fidem corroboracionem et confirmacionem huic scripto pro perpetuo duraturo Sigillum nostrum autenticum una cum sigillo capituli supradicti est appensum in domo capitulari sanctiandree vicesima secunda die mensis aprilis Anno dominis millesimo quadringentesimo vicesimo primo et consecrationis nostre decimo octavo. (*H. and M.*)

Seal of the bishop appended, broken; the chapter seal is gone.

55A. 19th March 1426/7. Ane chartour cancellat be Walter Tuedy of Drumelzear witht consent of James Tuedy his sone to Thomas Fraser of Fruid of ane annuel rent of XL iiij sh. to be upliftit furth of the toun and territorie of Drumelzear daitit the 19 of Marche 1426. *No.* 21. 1632 *Drumelzier Inventory.* (*H.*)

Not among Hay of Duns MSS.

56. 9th May 1430. Transumpt, see No. 249A, of a Confirmation under the Great Seal of a charter by Archd. Earl of Douglas Lord of Galloway and the Constabulary of Lauder to Wm. de Sinclair of the lands of Hirdmanstone and of Carfray in the said Constabulary: the lands of H. to be held in blanch firme, and the lands of C. for homage and service of suits of court with ward, relief, marriage, etc.: Paying yearly at the Castle of Lauder a pair of gilt spurs in name of blanch firm, if asked; dated at Dunbar 20 Jan. 1401: Confirmation at Edinburgh 9 May a.r. 24 (1430): Witnesses, John, Bishop of Glasgow, Chancellor; John Forrestar of Corstorphin Chamberlain; Walter de Ogilvy of Lintrethin, Treasurer, Knights; Mr. Wm. Foulis, Provost of the College Kirk

of Bothwell, Keeper of the Privy Seal; and Mr. Thos. de Myretoun, Dean of Glasgow. (*H.*)

Note.—The original charter is in the Home of Wedderburn charter chest,—see Hist. MSS. Com. Report, 1902, No. 591. This confirmation is not in the Reg. Mag. Sig.

57. 3rd June 1430. Instrument of Sasine following on breve from the King's Chapel to Thomas Wolf baillie of the burgh of Haddington, in favour of Robert Bertrame "consanguineo," cousin, of the late William Bertrame, as heir to said William, of a tenement of land with pertinents, lying in the burgh of Haddington, on the west side of the street called the Hargate, between the land of John of Frude on the south, and the land inhabited by Andrew of Jedworth on the north. Dated 3rd June 1430 c. 10 a.m. Witnesses, Radulph Bowmaker, James of Aytoun, James of Boltoun, William Stensoun and Andrew of Jedworth burgesses of the said burgh. William Harper notary. (*M.*)

Seal wanting.

57A. 26th Nov. 1431. Ane instrument quhair Geo. Rippeth renunces the Landis of Wastbarnis and utheris Lyand within the barronie of Carrell (Crail) in favouris of Sr. William Cunninghame of Beltone daittit 26 Novembr. 1431 under the subscriptioun of Sr. Donald Post notar and preist. *No.* 14, 1619 *Belton Inventory.* (*H.*)

58. 30th Sept. 1432. Retour of Inquest at Lanark before David de Hamyltoun, sheriff depute of L., by Alex. Lokhart of Lee, Thos. Wer of Blacwode, Wm. de Carmichaele of that Ilk, Jas. de Sandilandis, Rob. Wer, Wm. Scott, Phil. Inglis, John de Ledale, John Inglis of Bagby, John Ker of Culter, Geo. Wer, Andrew Murhede, Thos. Inglis of Carnwithmur, John de Banachtyn of Corrox, John Watsoun of Gervaswode, Thos. de Dalzelle, and John de Bertoun, Jurors, finding Sir Thos. Hay, knt., heir to his father Sir Wm. Hay, knt., who died 11 years before, in the lands of Ethcarmur, in the shire of Lanark, worth 40 marks yearly and as much in time of peace, held of the Abbot of Arbroath for payment of half a stone of wax on said lands at the Feast of S. John the Baptist in name of blanche firme. *Cf.* Reg. Nig. de Aberbrothoc, 65. (*H.*)

59. 13th Dec. 1432. Notarial Copy of No. 49 at the instance of Sir Thos. de Haya knt., lord of Lochorwart: Done in the College Kirk of Bothans, 10 a.m. 13 Dec. 1432: Witnesses, Alan de Erskyn, Thos. Hay, Wm. Flemyn, esquires, Sir John Rechardson provost of the said Kirk, Sir Wm. Knollis, and Sir Alan Pilmuir, chaplains: Wm. de Blar, priest Glasg. dio., N.P. (*H.*)

60. 20th Oct. 1433. 15th Century paper copy of an Inquest at Stobow, 20 Oct. 1433, before Sir Thos. de Tudai of Glengevil, perpetual vicar of the Parish Kirks of Averlethen & Edilstoun, and commissary "*in hac parte*" of John, Bishop of Glasgow, and Mr. Wm. de Fowllis, Keeper of the Privy Seal, and Rector of the Prebendal Kirk of Stobow within the Kirk of Glasgow, anent the Kirklands of Westerhoperho belonging to the vicarage of Stobow, by the following jurors, Thos. de Caverhel, Pat. de Lowse, John de Elphynstoun, Henry Patriton, Thos. Patriton, Wm. de Bothwyl, Stephan de Stenstoun, John de Stewarstoun, Rob. de Balcasky, Geo. de Murry, John Purdi, Wm. de Patriton, And. de Foullisland, Roger Lawriton, Thos. le Wecht, Adam de Fowlop, and John de Bowrhel, laymen, Sir Rob. Alanson (Alani) rector of [illegible]enriland, and Sir Rob. Mon, Sir Thos de Meldoun, Sir John Smel, and Sir [illegible]at. de Fowlop, Chaplains, finding that the vicar of the vicarage of Stobow

holds the lands of Westerhoperho with pasturage of 40 animals, oxen and cows, and 2 horses, for two masses weekly, one on Wednesday and the other on Friday, in the Chapel of Westerhoperho. (*H.*)

61. 6th April 1434. Retour of Inquest at Lanark before David de Hamiltoun, Sheriff depute, Tuesday 6 April 1434, by Thos. Wer of Blacwode, John de Bannachtyne of Corrax, Alex. Lokhart of Lee, Wm. de Carmichaele of that Ilk, John Folcart of Folcartoun, Andrew de Hamyltoun, Rob. Wer, Wm. Scott ygr. of Nemflar, Thos. de Calderwode, Simon de Sandilandis, Rocald Wer, Thos. Achinlek, Thos. de Symontoun, Geo. Wer, and Thos. Russale, Jurors, finding David de Hay heir of his brother Sir Thos. de Hay of Yhester, knt., who died 3 weeks before, in the sixth part of the lands of Bygar and mill thereof, and of Thancartoun and mill thereof; and also the sixth part of Lenechirtowne (the Nether town) of Strathavane, and a half of the quarter of the mill thereof, and an annual rent of 5s. from lands of Glengevil in the barony of Strathavane, all in the shire of Lanark held of the King by ward and relief. (*H.*)

Four seals still appended.

61A. 6th April 1434. A retour of Sr. David Hay when he is retoured aire to his brother Sr. Thomas Hay in the baronie of Lochorwart and diverse utheris Landis. 6 Apryle 1434. *No.* 3, 1622 *Locharret Inventory.* (*H.*)

62. 14th Jan. 1434/5. Contemporary Copy on parchment of a Charter of confirmation by David of Haia Lord of Yhestire, of a Charter granted by William Vernoure burgess of Edinburgh and Laird of Glenquothane in favour of John of Schaw Laird of Haly and his assignees, which failing to John of Schaw his son and heir, the heirs male of his body lawfully to be procreated, which failing to Adam of Schaw, also his son, and the heirs male of his body, which failing to Alexander of Schaw then to Robert and after him to James, likewise sons of the said John, which all failing, to the lawful and nearest heirs of the said John whomsoever; of the lands of Glenquhothane, lying in the barony of Olivercastle and within the Sheriffdom of Peblis, holding of the granter in fee and heritage for ever. At Edinburgh 29th September 1434. Confirmed at Perth 14th January 1434. No witnesses. (*M. and H.*)

63. 15th Feb. 1434/5. Indenture between Davy the Hay, Lord of Yester and Sheriff of Peebles on one part, and William of Geddes of Ladyhurd on the other part, whereby it is agreed that when the saids Davy and William or their heirs get two merks worth of land to buy in the Sheriffdom of Peebles, the said Davy and his heirs shall give to the said William and his Heirs to the buying of the said land, 40 merks scots, and if said land be got of any tenant of the said Davy, he shall give his consent thereto cost free, although it be 40 shilling worth, and when the said William has taken heritable possession of the same, he and his heirs "of twa markysworth of annale rent, of the qwylk he has tane heretabyl state and possessyoun in Westerhaprew sall mak pure and sympyl resyngacyoun" in the hands of the said Davy and his heirs, to remain with him and his heirs for ever. At Peblis 15th February 1434. Witnesses, Barnaba the Wach of Dawic, Patrik of the Lowys of Menar, Thomas ffreser of ffrude, John Davysoun and Thomas of the Louth burgess of Peblis. As the said William had no seal of his own, he procured that of Wate of Tuedy lard of Drumelzare. (*M. and H.*)

Two tags, only one seal, that of Sir David Hay in good condition.

64. 10th March 1434/5. Be it kende til all men be thir presentez lettrez me William off Creichtoune off that ilk knycht maister off household to the king and schirraffe of Edinburght In the kingis name for to haffe ressawit and fullily

to haffe hade be the handis off a nobil man david the haya of yhester and schirraffe of peblis tenescore off pundez twelfe pundez fifetene schillingis and foure penysse off usuale mone off scotlande acht to the king for the raleiffe off the saide david—deliverit in Edinburght for the quhilk forsuth soum off tenescore of pundez twelfe pundez fyfetene schillingis and foure penysse off all the saide releiffe in the kingis (name) I quitcleme and dischargis the saide david and his airis for evermare but fraude or gile be thir present lettrez In witness off the quhilk thing to thir presentt lettrez I haffe to sete my seele at Edinburght the x day off marcij the zere off god jmcccc xxxiiii^{ti} (1434) in presens off ser William off Borthwic off that ilk Robert gray thomas off lewyntoun and James off chawmer witht mony other.

(*Note appended.*)—Debet de ista summa vicecomiti novemdecim libros quindecim solidos et quatuor denarios. (*H.*)

On parchment, seal gone.

65. 1st June 1435. Procuratory by John de Geddes of Rauchane to Alex. de Geddes of Lyne and Wm. de Geddes of Ladihurd to resign his lands of Thankartoun (as in No. 39) to the superior, David de Haya lord of Louchorwart: At Hoprew 1 June 1435. (*H.*)

Seal appended, perfect.

66. 12th July 1435. Charter by David de Haya of Yhesterand Hoprew to his kinsman John de Geddesse son of um. Andrew de G. of 10 bovates, the half of a coteland, and the sixth of the mill in the town and lordship of Thankartoun, reserving to the granter etc. the place called John Gray's garden in order to render service due and wont to the king, which lands belonged to um. John de Geddesse of Rauchane and were resigned by him: to be held by the sd. J. de G. and the heirs male of his body whom failing; Geo. de G. his brother german etc., whom failing the lawful heirs of sd. John, of the granter and his heirs lords of Hoprew for payment of a penny in name of blanche firme: Castle of Peblis 12 July 1435: Witnesses, Edmund de Haya of Thalow, the granter's brother german; Walter de Twedy lord of Drummelyhore; Bernaba de Vach lord of Dawyke; Gilbert de Haya of Meynyhene; and Thos. Fressele of Frude. (*H.*)

67. 15th July 1435. Precept of Sasine by David de Haya of Yhester, lord of Hoprew, to his kinsman Gilbert de Haya of Menzane, his baillie, for John de Geddes, son of umquhile Andrew de G. of his lands of Thankartoun (as in No. 66): Peblis 15 July 1435. (*H.*)

67A. 31st Dec. 1435 Notarial copy of No. 25, produced by John Flemyng burgess of Haddington, and made on behalf of David Hay of Yhester: Done at Haddington, 10 a.m. 31 Dec. 1435: Witnesses, John de Crumbi, baillie, for the time, of Haddington; Thos. Wolf and Thos. Nicholas, burgesses of H.; Wm. Harper, clerk Glasg. dio., N.P.I.a. (*H.*)

68. 21st January 1435/6. Rex. We have ressaved be the handis of david the hay of yhestre fyfty markis of the contribucioune that he suld gife til the passage of our dochter of the quhilkis thar wes twenty pundis deliverit til oure cosynge lorde of Erskyne // Gevyne under oure signet at perth the XXj day of Januere the yhere of oure Regne XXXti (Jas. I a.r. 30—1435). (*H.*)

Written on a long narrow strip of paper. Signet impressed, gone.

68A. 4th March 1435/6. Ane instrument geven be Jhon Richard notare of a protestation against the seasing taken be William Borthike of the Mote of Lochquharet and half Lands of Middletoune in respect the said Mote is the

said David (Hay) his propre Lands and the half Lands of Middletone haddin of him be service and waird and releuiffe 4 March 1435. *No.* 4, 1622 *Locharret Inventory.* (*H.*)

68B. 7th March 1435/6. Notarial Copy of No. 21 at the instance of and produced by David de Hay, lord of Yhester: Done at Yhester, 2 p.m. 7 March 1435: Witnesses, Sir Pat. de Mortoun: John Brysse, chaplains; Wm. de Gedas; John Wan, and Wm. de Morham: Wm. Harpar notary (*H.*)

69. 24th Sept. 1436. Rex. We grant us to be content of tenscore of pundis and twelve fyfetene shillingis and foure pennyis of the Releffe of david the haya of Yhester gevin undre oure Signet at Edinburgh the xxiiij day of Septembre the yhere of oure Regne xxx^ti. (*H.*)

Written on a long narrow strip of paper. Signet impressed, slightly broken.

70. 5th Nov. 1436. Transumpt (dated 1462, see No. 123A) of a Charter under the Great Seal by James I. in favour of the Abbot and Monks of Arbroath, his chaplains, stating that they hold their lands in pure and perpetual alms and free regality by the infeftments of his progenitors, Kings of Scots; ratifying these in all points; and ordering his Justiciars, Sheriffs, Chamberlains Coroners, Judges, and their deputies, not to summon the said Abbot, monks and the tenants of their lands to their courts: At Edinburgh, 5 Nov. 1436. *Cf.* Reg. Nig. de Aberbrothoc, 79. (*H.*)

70A. 15th January 1436/7. Ane instrument geven be Robert Michell of Hirdmanstoun where Sr. David Hay compeired in ane Schiryffe court withtin the Tolbuith of Edinburgh and there objected against the service of William Borthike who auth not to have bene served aire to his father called William Borthike also in the Mote of Loquharet and half Lands of Middletone hadden of the king for the reasons conteaned in the former instrument (see No. 68A). 15 January 1436. *No.* 5, 1622 *Locharret Inventory.* (*H.*)

71. 15th May 1439. Contemporary copy of a Charter in form of indenture by Dungall Makdovell of Mackarstoun to Edmund of Haye of Tallow, for his faithful help, counsel, and favour often rendered to the granter, of his fourth part of the lands of Linplum, lying in the barony of Dunkanlaw and shire of Lothian—Holding of the granter in fee and heritage for ever. Rendering yearly a pair of gloves at the Cross of the said barony, in name of blench ferme, at the feast of Pentecost, if asked; At Dundee 15th May 1439. No witnesses' names given. Paper. (*M. and H.*)

71A. 26th July 1439. Transumpt (dated 1462, see No. 123A) of a transumpt by way of Instrument at the instance of Sir Wm. de Dersy, Monk of Arbroath, of the Order of S. Benedict, *cf.* No. 70: Done in the Dwelling of the Granitar in the precincts of the Abbey of Arbroath 26 July 1439: Witnesses, Sir John de Abirbrothoc, Monk of the said monastery, John King, Thos. Spanky, and John Winter, burgess of Arbroath: Walter de Llownane, pr. S.And.dio., N.P.A.a. (*H.*)

72. 29th Jan. 1439/40. Charter by Edmund de Hay Lord of Wyndene and half of Lynplum in favour of his brother Sir David de Hay Lord of Yhester Knight, of an annualrent of 20 shillings out of his lands of Wyndene and Linplum. Holding to the said Sir David and his heirs until the said Edmund and his heirs infeft the said Sir David etc. in a husband land in the town of Duncanlaw. At

Yhester 29th January 1439: Witnesses, Hugh of Hay the granter's brother, John of Borthwic, Thomas of Hay, Dougall Macdowale, Alan of Erskyn and Thomas Bel. Seal gone. (*M. and H.*)

73. 8th March 1440 1. Rex. Dere frende forquhy that the medow that is nere beside peblis callit the Kingesmedow is in oure handis. We charge yow that ye in oure name Recognoce the saide medow in our handis makand inhibitioune that na man intromete witht it bot oure officiaris and entrometouris undir al paine and charge may eftir folow gevin under oure signet at Edinburgh the viij day of march and of oure Regne the ffyfte yere (1440). Vicecomite nostro de peblis et C (Sir David Hay of Yester. (*H.*)

Written on a long narrow strip of paper on which is impressed the signet in good condition, protected by a plaited ring of rash imbedded in the wax. The endorsation states that Thomas de Lowche, sheriff depute of Peebles, recognosced said lands on Tuesday, 13th March, 1440: Witnesses, Gilbert Darlynge, "cliente regali," Thos. de Lyne, and John Kynpunt.

74. 6th July 1441. Charter by John of Lachis to Edmund of Haya of Lynplum of an annual-rent of 6 shillings 8 pennies due to the granter out of the tenement of the late Patrick Bernarde lying in the burgh of Hadyngtoun on the south side of the market place (*vici fori*) thereof, between the tenement of Rodger Tredgold on the east and the tenement of the late James Browstar on the west: and an annual-rent of 6 shillings 8 pennies of the said tenement of James Browstar; and an annual-rent of 10 shillings due to the granter of the tenement of John Harpar lying in the said burgh, between the said land of James Browstar on the east, and the land of the late David Calyhour on the west; and an annual-rent of 10 shillings of the said land of the late David Calyhour; and an annual-rent of 8 shillings of the tenement of James Lorimer, lying also on the south side of the said market place (*vici fori*) between the land of the late James of Jedworth on the east and the land of the late John Lamb on the west; and an annual-rent of 8 shillings of the tenement of the late William Coupar lying in the said burgh in the Baxstarraw, on the east side of the said street, between the land of the late John of Aytoun younger on the north and the land of the late Thomas Paw on the south. Holding to the said Edmund of the King. At Hadyngtoun 6th July 1441. Witnesses, John of Aytoun, George Bertrame, Robert of Grenlaw, bailies of the burgh of Hadyngtoun, Alan Zong and Symon of Crag seriands, William Harpar clerk, notary public, Richard Roger, John Wan, William of Morhame, John of Nesbyt and William of Knox. (Seal gone. (*M.*)

75. 12th Janry. 1441 2. Brief of Inquest from Chancery to the Sheriff of Edinburgh and his baillies within the Constabulary of Haddington for the serving of Elizabeth de Dale heir to her grandfather Richard de Dale: Edinburgh, 12 Janry., a.r. 5 (1441). (*H.*)

Note.—This document is laced to the Retour of Inquest following on it, see No. 76.

76. 16th April 1442. Retour of Inquest held at Haddington in the head court of the Sheriff of Edinburgh before Walter de Cokburne Sheriff depute, 16 April 1442, by the following jurors, Alex. de Grahame, Wm. de Lermonth, Wm. de Spens, Jas. de Aldinstoun, John de Aytoun, John de Crumbi, Alex. de Redpeyth, John de Rantoun, Jas. de Quhitlaw, Wm. Gourley, Thos. Wolfe, Wm. de Haliburtoun, Hugh Sproyte, Rob. de Grenlaw, and Thos. Pervy: finding Elizabeth de Dale heir to her grandfather Richard de Dale, who died 4 months before, in a half carucate of land in the tenement of Barrow, barony of Duncanlaw, etc., worth 2 marks per annum, held in chief of the baron of Duncanlaw, and paying 1 penny at the Feast of S. Kentigern in name of ferme; and in another half carucate in Barow with toft and croft of 2½ acres in Crumestrodir, worth 2 marks per annum, held of the baron of Duncanlaw in

chief, and paying one pound of pepper or 12 pence at the Feast of S. Michael (*H.*)

Seal of John Rentoun appended, rest gone.

77. 16th April 1442. Contemporary copy of the foregoing. Written below in an old hand is, "S. davy hom has a bref to stein Zhow to gyff scessyn." (*M.*)

78. 16th April 1442. Another Copy of same retour on paper. (*M.*)

N.B.—The date when the copies were made is not stated.

79. 20th Feb. 1442/3. Charter by David of Hay Knight, Lord of Lochqwhorwarte mortifying to God, the blessed Mary, and the prebend of Morhame in the Collegiate church of Bothanis, and Sir John of Strathauane chaplain of the said prebend, the prebendary of the said prebend and his successors, in augmentation of the said prebend formerly founded in the said church, a piece of land lying on the south part of the said church between the land of Dame Alice of Hay, Lady of Yester, on the east part, and the common way on the west part and the path lying between the ditch of the burying ground and the said piece of land on the north part of the computed space of 6 feet from the said land along to the said ditch and common way on the south, with the croft of the said piece of land lying on the south part thereof, commonly called le Orcharde croft, and so extending towards the east along to a cross of stone on the south part of the said Orcharde Croft, and so descending by the path which runs along to the south entry of the said burying ground, with the grazing of one horse and 2 cows with their followers for one year in the Lordship of Gamillistoun, &c., in pure and perpetual alms. At Zester 20th February 1442. Witnesses, Edmund of Hay, Hugh of Hay, brothers of the granter, Master Stephen Ker, provost of the Collegiate church of Bothanis, Master John Ker vicar of the parish kirk of Hadington, Sir William of Knollis dean of the Christianity of Hadington; Sir Ricard of Knollis vicar of the kirk of Bothanis, Gilbert of Hay, Thomas of Hay, John of Borthwic and Thomas of Borthwic esquires. (*M. and H.*)

Seal of granter in fair condition.

80. 20th August 1443. Letter of License, in vernacular, by John of Furd, burgess of Haddington, son and heir of umquhile Thom of Furde, heir of um. John of Furde, burgess of Haddington, to George Bertame, burgess of said burgh, to byg his stane stare of his tenement of land lyand on the West syd of the Hardgate of the said burgh next on the south syd of a land of Robert of Myllis upone my grond of my tenement of land lyand next on the south syd of the said tenement of G.B.: Haddington 20 August 1443: Witnesses, Wm. Harpar, clerk and N.P., Sanderis Clerk his soun, David Tragamete. John of Kyll and Thom Flucar. (*H.*)

Seal appended, in fair condition.

81. 20th March 1445/6. Charter by David of Hoppryngil, Laird of Pilmur, and certain lands of Blawnce, in favour of Alice of Hay relict of Sir William of Hay Laird of Yhestir, Knight, of the lands of Blawnce which extend to a fourth part of the town and territory of Blawnce, lying in the Constabulary of Haddington and Sheriffdom of Edinburgh, in respect of a sum of money paid by the said Alice to the granter; Holding from the granter of the King in fee and heritage for ever Rendering yearly "unam cadapultam Anglice, a brade arow" at the feast of St. Peter *ad vincula*, in name of blenchferm if asked. At Yhestir 20th March 1445. Witnesses, Master Stephen Ker provost of Bothanis, John of Borthwic, James of Borthwic, David Rede, and Robert Michael of Hirdmanstoun, notary public. (*M.*)

Seal of the granter, slightly broken. (*Cf.* Reg. Mag. Sig., II. No. 322.

82. 8th Oct. 1446. Charter by Patrick Broune son and heir of the late John Broune, to Edmund of Hay of Thalow, of an annual-rent of 4 shillings furth of the tenement of John Bane lying in the Nungate of Hadington, between the land of the late Robert Crowner on the north and the land of John of Pilmor on the south, and an annual-rent of 4 shillings furth of the said tenement of John of Pilmor and the tenement of William Broune, lying between the said tenement of John Bane on the north and the common way between the Nungate and Gyffartgate on the south and an annual-rent of 10 shillings of the tenement of John of Bassindene, lying in the burgh of Hadington in Hardgate near the east end thereof, between the land which Richard Lamb holds on the east, and the land of Patrick of Wellis on the west: Holding the last mentioned annual-rent of the King, and the others of the Prioress of the Monastery of Hadington to the said Edmund in fee and heritage for ever. At Hadington 8th October 1446. Witnesses, William of Haliburtoun baillie, Simon of Crag, serjeant, William Harper, clerk notary public, John Flemyng, David Broune, John Bane, burgesses of the said burgh and William Clerk. (*M. and H.*)

Seal of granter gone.

83. 26th March 1446. Confirmation under the Great Seal of No. 81 to Alicia de Haya widow of Sir Wm. de Haya of Yhester, knt., Witnesses, James, Bishop of Dunkeld, our cousin and Chancellor, Wm. Earl of Douglas, Wm. Lord Crechtoun, Alex. de Levingstoun of Calentar, Jas. de Achynlek of that Ilk, John de Cokburn of Dalgynch: knights; Masters Wm. Turnbul, Keeper of the Privy Seal, John de Ralistoun, secretary, Jas. de Levingstoun, Captain of Stirling Castle, and Alex. Narne of Sandfurde: Stirling, 26 March 1446. (*H.*)

Seal gone, tag marked "lothiane." (Not in Reg. Mag. Sig.)

84. 12th April 1447. 15th Century paper copy of a Charter by Sir David de Haye, lord of Leuchorwart, and baron of Hopprew, knt., for the safety of his soul etc. to S. Michael the Archangel of Wester Happrew and the perpetual Vicar of Stobo of one acre of Westerhopprew, lying on the north side of and between the torrent and the Halecroft in the shire of Peebles: Doing there for the said Vicar of Stobo, or by a suitable chaplain, the wont divine service for the Kirkland as of old: Witnesses, Gylbert de Haye, John de Borthwyc, Pat. de Lowys, and Master and Sir John de Kokburne and John Herknes, chaplain: at Pebyllis, 12 April 1447. (*H.*)

85. 30th July 1447. Charter by Alicia de Hay, lady of a quarter of Blance, spouse of umquhile Sir Wm. de Hay, knt., lord of Lochqwhorwart, for the weal of the souls of King James, Jas. bishop of S. Andrews, her spouse, herself, and her heirs successors and ancestors, To Almighty God, the B.V.M., and S. Cuthbert of the College Kirk of Bothans, and the perpetual chaplain of the Altar of S. Mary in said Kirk, celebrating for said souls, of an annual rent of 6 marks from her lands of Blance: At the Castle of Zester, penult July 1447: Witnesses, Edmund de Hay, Mr. Hugh de Hay, her sons; Mr. Stephen Ker provost of said kirk, Mr. John Ker vicar of Hadyntoun, Sir Richard de Knollis vicar of said College Kirk; Sir John de Strathavane rector of Morhame; Gilbert de Hay; Thos. de Hay; John de Borthwic; and Thos. de Borthwic, Armigers. (*H.*)

86. 8th Aug. 1447. Foundation Charter by David of Hay, Knight, Lord of Lochqwhorwart, Robert Boyd, Lord of Kilmernok, —— of Maxwel and Dougall MacDowale of Malcarristoun, portioners of the baronies of Yhester, Duncanlaw and Morhame; to God, the blessed virgin Mary and St. Cuthbert of the Collegiate church of Bothanis, and the chaplain of St. Mary's altar, of a piece of land lying in "le Bothanis" on the east of the said Collegiate church

between the church and the water, in augmentation of the chaplainry founded to the said altar by Dame Alice of Hay, Holding to the chaplain of the said altar in pure and perpetual alms. Dated 8th August 1447. Witnesses, Edmund of Hay of Thalok, Master Hugh of Hay brothers, John of Borthwic, Gilbert of Hay; Robert Boyde, Malcolm Boide, Uchtred Makdowale and John Macdowale Esquires, Master Stephen Ker provost of the Collegiate church of Bothanis, Sir Ricard of Knollis, vicar of the said church, and Sir William Spens chaplain. (*M.*)

The tags of the seals of the four granters only remain.

87. 23rd Feb. 1447/8. Mortification Charter by Alicia of Hay relict of Sir William of Hay, Knight, Lord of Yhestir, to the altar of the blessed virgin Mary situated in the Collegiate church of Bothanis in the diocese of St. Andrews, and to the chaplain of the said altar, in pure and perpetual alms, of an annual-rent of 6 merks furth of the lands of Blanse in the Constabulary of Hadyngtoun and sheriffdom of Edinburgh; an annual-rent of 14 shillings scots, furth of the land or tentment commonly called "lie pentisse," lying in the burgh of Hadyngton on the north part thereof, near the market cross, between the land of the late John Androsoun on the west, and the common vennel which leads to the "Northt gate" on the east; an annual-rent of 11 shillings 4 pence scots furth of the land of Thomas Johnsoun, lying on the south part of the said burgh, between the land of Robert Philipson on the east, and the land of John Nicolsoun on the west; an annual-rent of 7 shillings 6 pence scots, furth of the land of the said Robert Philipson, lying in the said burgh, between the land of the late William of Dene on the east and the land of the said Thomas Johnsoun on the west; an annual-rent of 5 shillings scots furth of the land of the said late William of Dene lying also on the south part of the said burgh, between the land of Thomas Edwardsoun on the east, and the said land of Robert Philipsoun on the west; An annual-rent of 10 shillings scots, furth of the land of Thomas Edwardsoun, also lying on the south of the said burgh, between the land of Andrew of Crumby on the east, and the land of the said late William of Dene on the West; An annual-rent of 7 shillings 6 pence scots, out of the said land of Andrew Crumby also lying in the said burgh between another land of the said Andrew of Crumby on the east, and the said land of Thomas Edwardsoun on the west; Also a yearly pension of 2 merks to the chaplain of the said altar till he be infeft in another annual-rent of 2 merks furth of a competent place; Also her land with houses built thereon which Sir David of Hay Lord of Yhestir her son and heir granted to her by his charter and sasine, for a dwelling to the said Chaplain and his successors, lying near the said Collegiate church between the water on the east and the Mansion of Sir John of Strathavane rector of Morhame on the west and the brewland in which Marjory Milnaf now dwells on the south and the cemetery of the said church on the north. At Yhestir 23rd February 1447. Witnesses, Edmund of Hay of Lynplum, the granter's son, Thomas of Hay, Archibald of Hay, John of Borthwic of Crukistoun, Master Stephen Ker provost of the Collegiate church of Bothanis, Sir Ricard of Knollis and Sir Robert of Morhame chaplains of the said Church. (*M. and H.*)

Seal appended, in poor condition. (*Cf.* Reg. Mag. Sig., II. No. 322.)

88. 15th Aug. 1448. Instrument on Complaint of David of Hay, Knight, Lord of Yester against Edmond Hay his brother german to the effect that the latter had imposed a water flowing to his own mill, on the lands of the complainer, and had made an aqueduct without the licence of the said lord to his no small prejudice, anent the aqueduct of the mill of the said Edmund made through the lands commonly called Duncanbog and one Milhanche lands of the said David of Hay and the said Edmund being present, formally denied the charge, and produced a charter under the seal of the complainer, granting said Edmund licence to make the said aqueduct etc. Dated 15th August 1448;

in the choir of the Collegiate church of Bothans before Thomas Hay, William Geddes, Henry Spens, and Sir David Gundi notary public, Witnesses. Richard Lamb, clerk of the diocese of S. Andrews, is notary. (*M.*)

89. 26th Nov. 1448. Notarial Transumpt, at the instance of Sir David de Haya, knt. Lord of Louchqworwart, of a Charter by Edmund Hay, of Thalow, to Dougall MacDowale and Elizabeth his spouse, and the survivor of them, and the heirs lawfully procreated or to be procreated between them, which failing to the lawful and nearest heirs of the said Dougall whatsoever, of a husband land with pertinents, which lately belonged to John of Lathis, lying in the town and territory of Duncanlaw, in the Constabulary of Haddington and shire of Edinburgh; Also that husband land and "le Cotland" which lately belonged to Margaret of Puntoun and that templeland which lately belonged to John Peny lying in the said town of Duncanelaw; Holding the said two husband lands and Cotland of the Baron of Duncanlaw, and the said templeland of the Master templar, to the said Dougall, his spouse and heirs in fee and heritage. Dated at the Collegiate Church of Bothanys 20th September 1446. Witnesses, William Mowbray, William of Douglas, James Malvil Esquires, Sirs Stephen Ker provost of the Collegiate church of Bothanis, Richard of Knollis vicar thereof, Robert of Morhame presbyter, William of Morhame, Patrick Trottar and Archibald of Dale. Transumpt dated at the Castle of Jedwordfelde in the Hall thereof 26th November 1448. Witnesses, Sir John of Cokburn Dean of the Christianity of Peblis, Gilbert of Haya, James Malvil, Archibald Malvile, Henry of Borthwyc, Esquires, Thomas Hardkneis is notary. (*M. and H.*)

90. 29th May 1449. Notarial Instrument narrating that Sir David de le Haya, Knight, Laird of Lochorwart, sold to Robert of Leuyngstoune of Middilbenying the lands of Redmyre and Torbrekkis, for the sum of 240 merks, for which sum they are now redeemed by the said Sir David: Reserving to the said Robert assedation of the said lands for three years following their redemption for the ferme of 13 merks yearly. Done in the Tolbooth of Linlithgow 29th May 1449. Witnesses, Alexander of Hathwy, Thomas Forest bailies of the said burgh, James Malvil, Alan Malvil, Archibald Malvil, John of Borthwic, Sir William Lany chaplain and Robert Nicholas: James of Fowlis is notary. (*M.*)

91. 29th May 1449. Md. that it is concordit betuix Schir davy haya of lochorwart on the ta part and Alane malvil James malvil Archebald malvil and Wilyham mowbray on the tother part that the said breder sal tak up the malis of Witsonday terme of the landis ethkermore at thair enteray and the said lord sal tak up the malis of Witsonday at the ische of sex yheris and for the mare sekernes the said lord and Alane malvil has subscrivit thir endenturis witht thair awin handis entirchangeable the XXIX day of maij the yhere of oure lord jm CCCXLIX. (1349). (sgd.) Alane maluil. (*H.*)

92. 13th Oct. 1449. Precept by James Bishop of St. Andrews to the dean of Hadington, commanding him to give collation to Sir John Brice presbyter, of the prebend of Blans in the Collegiate Church of Bothans, of new founded by a noble woman Alice of Haya Lady of Yhestir, with all rights, rents and pertinents thereof. At Leith 13th October 1449, an. consec. 11. (*M.*)

Two tags, seals gone.

93. 31st January 1449/50. Precept under Quarter Seal to Sheriff of Edinburgh and his baillies in the Constab. of Haddington, to execute a decreet of Parliament dated Edinburgh, 29 Janry. 1449 ordering David de Haye of

Zester knt., (cited by John Strang, macer) and Edmund Hay his brother to desist from troubling John Lyndesay of Dunrode in the possession of his lands of Morhame, prolocutor for J. L. Alex. Grahame, for D. H. John de Borthwik. (*H.*)

Seal gone.

94. 16th Feb. 1449/50. Instrument of Sasine by Sir David de Hay knt., lord of Zester, to Wm. Hog attornay for John Lyndesay of Dunrode of the lands of said J. L. in the town of Morhame, in the Constabulary of Haddington: Done on a croft of said lands, midday, 16 Feb. 1449: Witnesses, Wm. de Cokburne of Cakmore, Alex. Clerk N.P., Pat. de Haliburitoun, John de Haliburtoun, John Wan, Pat. Thomson, and Adam Napere: Wm. Harpar clerk of Glasgow dio., N.P. I.a. (*H.*)

95. 22nd March 1450/1. Instrument upon a Perambulation by Thomas de Cranstoun, Justiciar of the King specially depute, and the following jury; Sir Geo. de Seton of that Ilk, Sir Wm. de Borthwyc of that Ilk, Sir David de Home of Wethirburne, knights, Wm. de Cokburn of Newhall, Wm. de Quhytlaw, Wm de Touris, Wm. Lyndesay, Alex. Graham of Elwynistoun, Wm. de Home, Jas. de Home, Wm. Flemyng, Henry Ogyl of Popill John de Dale of Kyrkland, Thos. de Newtoun, Alex. Synclare, John de Borthwic, David de Chyrnsya, Stephen Scot, John Gyffart, Alex. de Wardlaw, Henry Sadillare, Henry de Qwhitlaw, John Gybsoun, Wm. de Cranstoun, David Synclare, Thos. Hay, and Jas. de Aldyinstoun; over the boundaries of the two portions of Morhame, and verdict pronounced by John de Borthwic, prolocutor, finding that "Lyndesayis landis," within the bounds shewn by sd. T. C. Justiciar and Pat. de Cokburne, Sheriff depute in Constab. of Haddington, had long belonged to John Lindsay and his ancestors, and no variation in the bounds of the Maynes and the husband-lands: Request by the Justiciar that Edmund Hay of Tallo should surrender the lands and tower to said John Lindsay; and his Refusal, referring the matter to the King: Done in the said court held at Morhame 11 a.m. 22 March 1450: Witnesses, Sir Wm. de Crechtoun, Lord Chancellor, Sir Geo. de Crechtoun of Blaknes, knights, Pat. de Cokburne, Walter de Cokburne, Rob. Boyd of Ernele and all the aforesaid jury: Alex. Clerk, clerk of S. And. dio. N.P. I.a. (*H.*)

96. 4th March 1450/1. Gift under the Great Seal by James II. to David de Hay of Lochorwart, knt., of the marriage of Lawrence Olifant, son and heir of umquhile John Olyfant of Abirdalgy knt., whom deceasing not married, the marriage of James Olifant his brother and heir, whom deceasing etc. that of John Olyfant his brother german and heir, for the sum of 600 marks, with all the lands etc. belonging to said marriage, and constituting Sir D. H. curator of said Laurence and administrator of all L.'s possessions: At Peblis 4 March 1450. (*H.*)

Fragment of Great Seal attached to strip cut from body of document. (Not in Reg. Mag. Sig.)

97. 10th Jan. 1451/2. Charter by Robert Boyde, lord of Kilmernok and of the 4th part of the baronies of Yhestir, Duncanelaw and Morame, to Sir David of Hay lord of Yhestir, Knight, in true and lawful excambion, all and whole that his fourth part of the said lands and barony of Yhestir, 4th part of the lands and barony of Duncanelaw, and 4th part of the lands and barony of Morame, and also all and whole his lands of Giffardgate all lying in the constabulary of Hadington and Sheriffdom of Edinburgh, with advocation of Kirks and prebends belonging to the granter within the same, excepting only the provestry of the Collegiate kirk of Bothans—for all and sundry the lands of his whole barony of Telyng lying in the shire of Forfare; To be holden from said Robert and his heirs, of the King in fee and heritage for ever, the said Sir

David doing yearly the service due and wont to the King: Dated at Edinburgh 10th January 1451: Witnesses, Thomas of Malevile, Lord of that Ilk; Hugh of Montgomery of Thorntoun; Robert Boyle of Rawynnisheuch; Gilbert of Haya of Menzean; John of Hamylton of Bryntwod; David de Berclay of Ladyland; and John of Borthwic of Crukistoun. (*M.*)

Seal of granter three-quarter whole.

98. 10th Jan. 1451/2. Precept of Sasine by Robert Boyde, Lord of Kilmernoke, etc., to David of Barclay, George of Guthry, Adam Sinclair and Malcolm Flemyng bailies, following on No. 97. At Edinburgh 10th January 1451. (*H.*)

Seal of granter complete.

99. 10th January 1451/2. Charter by Robert Boyde, lord of Kylmernoke and a quarter of Moskolly, to Sir David de Haya lord of Zester, knt., of his quarter of the lands of Moskolly in the barony of Boltoune, constab. of Haddington, and shire of Edinburgh, in exchange for Hay's quarter of the barony of Teling in Forfarshire: To be held of the baron of Boltoune for the service of offering to hold his stirrup when he mounts his horse on the occasion of the King holding a General Council at Haddington, in name of blanche firme: Edinburgh 10 January 1451: Witnesses as in No. 97. (*H.*)

100. 12th January 1451/2. Confirmation under Great Seal of No. 97: Edinburgh, 12 January 1451: Witnesses, Wm. Bishop of Glasgow, Wm. Lord Creichtoune Chancellor, Pat. Lord le Glammis, Andrew Lord le Gray, Masters John Arous, Archdeacon of Glasgow, and George de Schoriswode Rector of Cultir, our clerk. (*H.*)

(Not in Reg. Mag. Sig.)

101. 15th Jan. 1451. Instrument of Sasine following on No. 98, by David Berclay. Dated 15th January 1451. Witnesses, Laurence Olyphant, Lord of Abirdalgy, Thomas of Haya, George of Fotheryngame, Archebald of Haya, John Wan, Thomas Harcars, William Hay and Henry of Spens. Alexander Clerk is notary. (*H.*)

102. 21st Sept. 1452. Instrument on Resignation, in presence of Pat. de Cokburne of Newbyggyn, sheriff depute in Constabulary of Haddington, by John Hog, son and heir of umquhile Alex. H. burgess of Haddington, to Thos. Johnsoun, burgess of said burgh of two acres in the Kingismedow of Haddington, lying between another acre of said T. J. on the west and the acres now held by John de Grenlaw on the east: Done on the lands of Clerkyntoun, 4 p.m. 21 Sept. 1452: Witnesses, the said Pat. de C., Sir Pat. Tayt chaplain, and Adam Crak: Alex. Clerk, clerk of S. And. dio., N.P. I.a. (*H.*)

102A. 6th October 1452. A License be K. James II. to Sr. David Hay to infeft Wm. Lo. Creighton, Chancellour in the baronie of Loquharret. 6 October 1452. *No. 6 of* 1622 *Locharret Inventory.* (*H.*)

103. 18th October 1452. Instrument of Resignation by Alex. Lyndesay, son and heir apparent of John Lyndesay of Dunrode, following on a procuratory, dated Dunrode 1 Oct. 1452, by the sd. J. L. of D. to Mr. John Arous doctor of Decreets and Archdeacon of Glasgow, and the said Alex. Lyndesay to resign his lands of Morhame to his superior Sir Davyd Hay of Zestyr, knt.: Done in the College Kirk of Creychtoune, 3 p.m. 18 Oct. 1452: Witnesses, Wm. lord Creychtoun the Chancellor, Mr. Peter de Creychtoune Canon of Aberdeen, Alex. Stratoun of Louranstoune, Gilbert Hay of Menzene, John Borthwyk of

Crukistoune, Jas. Cokburne of Wormcleyfe, Richard Sinclare of Longaster, Alex. Froge, Pat. Grynlaw of Zorkstoune, armigers, and John Robysoun of Creychtoune: Rob. Halywele, priest. S. And. dio., N.P. I.a. (*H.*)

104. 28th Oct. 1452. Letter of Resignation by William Lord Creichtoun, Chancellor of Scotland to Sir David Hay of Lochorwart, Knight, baron of the barony of Morhame, of the lands of Morehame, with pertinents pertaining to John Lindesay of Dunrode, lying in the barony of Morehame, Constabulary of Hadingtoun and shire of Edinburgh, by John of Borthwic of Cruxstoun, Gilbert le Hay of Menyhell and William of Cokburne of le Newehall, his procurators. At Creichtoun 25th October 1452. (*M. and H.*)

Seal of the Chancellor in good condition.

105. 30th Oct. 1452. Instrument of Resignation by Wm. de Cokburne of Newhall to Sir David de Hay of Lochorwart, knt., following on No. 104: Done at the Castle of Zestir, 9 a.m., penult Oct. 1452: Witnesses, Laurence Oliphant, lord Aberdalgy, Alex. de Newtoun of that Ilk, John de Newtoun, Thos. de Newtoun, sons of said Alex., Archd. de Hay, Thos. Harcaris, armigers, and Sir Thos. Atkynsoun chaplain: Alex. Clerk, clerk S. And. dio., N.P., I.a. (*H.*)

106. 13th Dec. 1452. Paper copy in late 15th Century hand of a Charter by David Hay of Lochqwhorwart, knt., to Wm. Lord Crechtoun, Chancellor, of the two parts of the following lands, Lochorvart with the mill, Atquhlek (?), Curry, the Stanis, Brerlot (?) and Medyltoun, lying in the shire of Edinburgh, for the sum of 1240 marks, under redemption: Paying yearly from Medyltoun 4 marks to the Chaplain of the Altar of the Blessed Virgin in the Kirk of Lochqworvart: At Crechtoun, 13 Dec. 1452: Witnesses, Archd. Stewart, first born son of David S. of Castelmelk, David Stewart, brother of said A. S., John Bortqwik of Crukstoun, Archd. Hay, Mr. Peter Crechtoun, prebendary of Abberdoure, Sirs John Hay, and Alex. Grenlaw, chaplains. (*H.*)

106A. 13th January 1452/3. A reversion made be Sir David Hay for redeeming the Landis of Loquharret fra the Lo Chrighton be payment of 1240 markis: 13 January 1452. (*No.* 7, 1622 *Locharret Inventory.* (*H.*)

107. 13th January 1452/3. Obligation in vernacular, by Wm. Lord Creichtoune to Sir David the Hay of Lochquhorwart, who is obliged, as soon as the third of the lands of Lochquhorwart comes in his hands, to grant the same to the said Lord, like as he now has the twa part until payment of 1240 marks on the Lady Altar of the Parish Kirk of Lochquhorwart, to restore whole of said lands on payment of the above sum: Crechtoune, 13 January 1452: Witnesses, John Borthwic of Crukstoune, Archd. Malwill, Archd. the Haye, Mr. Peter de Creichtoune and Sir Alex. Grenlaw, priests. (*H.*)

108. 14th April 1454. Charter by Alexander Ysaac son and heir of the late James Ysaac burgess of Hadingtoun, to George Bertrame burgess of Hadingtoun, of two acres of land lying near the town of Hadingtoun, on the north part thereof, within the Harparfeld, near Harmanwel, between the land of Harparfeld on the east and the land of John of Aytoun on the west—Holding to the said George of the King from the granter in fee and heritage. Paying to the King one silver penny at the feast of the nativity of John the Baptist, if asked only, in name of blenchferme. At Hadingtoun 14th April 1454. Witnesses, Archibald of Hepburne, John of

Aytoun, Robert of Haliburtoun, David Lytstar, William Clerk, William of Welt and Alexander Clerk, notary public. (*M.*)

Seal of granter complete, in good condition.

109. 17th May 1454. Copy Charter by David of Hay, Lord of Yhester, Knight, to John of Duncanelaw, of two cottage lands lying in the town and territory of Duncanelaw, within the Constabulary of Haddington, on the north part of the town thereof, between the land of William of Hai on the east, and the land of Master of Soltre on the west; in fee and heritage. Paying therefor yearly to St. Kentigern in the parish Kirk of Barow, 5 pounds wax at the feast of St. Michael the Archangel; At Yhester 17th May 1454. Witnesses, Laurence Olifant Lord of Abirdalgy, Alan of Erskyn, Clement of Hay, Sir Alan Blacby, Chaplain, Andrew of Sydserfe, Alexander Clerk Notary public, David Bertram and Thomas of Dale. (Paper.) (*M.*)

110. 28th May 1454. Collation by James, Bishop of St. Andrews, to Sir David Ramsay rector of Keryntoun, of the Provostry of the Collegiate Church of Bothanys, now vacant by the death of Mr. Stephen Ker last possessor of the same at the presentation of the noble man Edmund of Hay, by reason of the ward of the lands of William Maxwell he being of pupillary age. At Dunfermlyng 28th May 1454, an. consec. 15. (*M.*)

Seal gone.

111. 1st June 1454. Charter by Andrew de Sydserf, dwelling in the town of Morhame, to Sir David de Hay, lord of Zester, knt., of his tenant lands, viz. a carucate in the town and territory of Morhame, between the land of Dungall Makdowale on the West, and another cotland of the said lord of Zester on the East: At Zester 1 June 1454: Witnesses, Gylbert de Hay of Menzane, Alan Erskyn of Carlynglyppis, Wm. de Hay, Thos. Vache, Rob. Alexandersoun, Sir Alan Blakby, chaplain, and Alex. Clerk N.P. (*H.*)

Seal appended entire.

112. 28th July 1454. Charter by William Earl of Errole, Lord de Hay, and Constable of Scotland, to his uncle Sir David de Hay, lord of Yhester, knt., of his lands of Athmure, in his earldom of Errole, and shire of Perth: Paying yearly, if asked, a silver penny on the Feast of Pentecost at the Kirk of Errole in name of blanchefirm: At Edinburgh 28 July 1454: Witnesses, Sirs Thos. Erskin Lord of that Ilk, Wm. Keth (of) Innerrugi, knights, Walter Hay, brother german of the granter, Gylbert Hay, and John Borthwik, squires, and Richard Lamb, clerk N.P. (*H.*)

Seal appended in good condition.

113. 28th July 1454. Assignation in vernacular, by Wilyame, Erle of Errole, Lorde the Hay, and Constabil of Scotlande, to his eme Schir David the Hay lorde of Yhester of an annual rent of £40 from his lands of Inchemichale and the Kirktoun of Errole liande within oure Erledome of Errole in the schurefdome of Perth, till the payment of 500 marks, the said annual rent to be lifted from the blanche firme lands of the barony of Slanis, Aberdeenshire, in case, be of warde thriddis of ladis etc., it cannot (be) lifted from the first-mentioned lands: Edinburgh 28 July 1454: Witnesses, as in No. 112. (*H.*)

Seal appended, perfect.

114. 29th July 1454. Bond by William Earl of Erroll, Lord the Hay and Constable of Scotland to "oure deirast Eme" Sir David the Hay, Lord of Yhester, Knight, to keep him skaithless at the King's hands of all inhibition,

charges and commandment that the King made, to him for Lourans Olifant Lord of Abirdalgi, except in the event of bodily sickness which shall be seen and lawfully proved: But in case the said Earl shall fail and not do all as aforesaid so that the said Laurence shall be harmed skaithed or disturbed in his (the Earl's) default, he (the Earl) shall pay to the said Sir David the sum of 500 merks, in security or not payment of the said sum in the College Kirk of the Bothanis in Louthian, within half a year after it happen, he binds his lands rents and possessions to be distrenzeit at the will of the said Sir David. At Edinburgh 29th July 1454. Witnesses, Sir Alexander the Ramsai, Lord of Dalwosy, Knight, Sir David Ramsay provost of the Bothanis, Alane of Erskyn, Gilbert the Hai, John of Borthwik, Squires, and Richard Lamb clerk Notary public. (Paper.) (*M.*)

Part of granter's seal impressed on the document.

115. 4th Aug. 1455. Instrument dated 4th Aug. 1455, according to the computation of the Scottish Church, 6 p.m. narrating that Sir David de Hay, lord of Lochquorwarcht, went to the ancient manor or head place of the lands of Caldsyd, in the barony of Lochquorwarcht; having understood that John de Falsyd of that Ilk had received sasine—if it can be so called—of the said lands, to the great prejudice of the said David to whom they belong in heritage: and broke and annulled the said sasine: Done at the said manor: Witnesses, Thos. Hay, Alex. Malwyn, Rob. Waldastoun, Rob. Broun, Stephen Robisoun, John Colchar, John Curry, Alex. Hale, Andrew Persoun, John Wilsoun, Jeorge Jamyssoun: Thos. Imscok, priest S. And. dis., N.P. I.a. (*H.*)

116. 7th Aug. 1455. Instrument narrating that Robert of Ramyssay heir of Sir David Ramyssay, late rector of the parish church of Keringtoun, received fourty pounds scots money from Sir David of Hay, Lord of Lochquorwarcht, upon the great altar in the Kirk of Cokpen, for the lands of Gamyltoun and Yestyr, impignorate to the said Sir David Ramyssay. Dated 7th August 1455. Witnesses, Allan of Erskyn, John Borthwyk, Archibald Hay, Alexander Malwyn, David Ramyssay, Esquires; also Sirs William Esdale vicar of Cokpen, Peter of Wode, and Alexander Grynlaw presbiters. Thomas Imscok is notary. (*M. and H.*)

116A. 10th December 1456. Ane testificat be the baillies and counsell of hadingtoun quherin they testifie that wm. ramsay brother germane to sir alexr. ramsay of dalhoussie compeirand personalie in the tolbuith of hadingtoun giftit to st edmond his altar in the colledge kirk of bothanes and to sir robert morhame chaplaine ther and his successoris for ther service in the safete of his saull & utheris that land so far as pertenit to him Lyand in the west syde of the sydgait in hadingtoun daittit 10 decr. 1456 nather subt. nor seillit but conteined witnessis in it. *No. 7, 17th cent. Inventory of the "Edmond Altar of the Colledge Kirk of Bothanes" writs.* (*H.*)

117. 18th April 1457. Instrument on Protest by Sir Alex. Grynlaw, chaplain, on behalf of his lord Sir David Hay of the Zester, knt., that the cession or omission of the Hospital of Bygre and the reception of the Chaplainry of S. Tanew near Glasgu should not be to the prejudice of D. H.'s right of patronage: Done in the Castle of Cummernalde, 10 a.m. 18th April 1457: Witnesses, Sir Thos. Atchynson, Chaplain, John Louthzane, and Thos. Auld: Wm. Tode, pr. of Glasgow dio., N.P. I.a. (*H.*)

118. 12th June 1457. Letter of Presentation by Edmund Hay of Talow, patron of the parish kirk of Morhame as holding the ward of the lord of Teling, to James, Bishop of S. Andrew for collation to Sir John Yhonge, vicar of the

kirk of Strathethinmartin, of the said kirk of M. resigned by Mr. John Maxuel, Rector of Morhame: At Morhame, 12 June 1457. (*H.*)

Parchment, seal gone.

119. 1st July 1457. Instrument, at the instance of Geo. de Cunninghame, son and apparent heir of Wm. de C. of Beltoun and Snade, narrating that Rob. Fergusson asserted he had been retoured to the lands of Achinrane, in the shire of Dumfreis and barony of Snade, upon the 15th Sept. in the burgh of Dumfreis before Sir Rob. de Krichtoun of Sanchquar, the sheriff: Dumfreis, 1st July 1457, Done at 1 p.m. in the tenement of John Dougane and booth of Rob. Atzinson: Witnesses, Thos. de Vemis, Simon Salman, esquires, and Rob. Atzinsoun, burgess of Dumfreis: John M'Ilhauch, clerk of Glasgow dio., N.P. I.a. (*H.*)

120. 12th March 1457/8. Letter of manrent, in vernacular, by Rob. Fergusoune to his worschipful lorde Wilyam of Coninghame lorde of Snade ande his ayris, for a new infeftment of his lands of Brakansyde: Edinburgh, 12th March 1457: Witnesses, John of Lumsdene of Ardre, Thos. of Myrtoun of Cammow, Thos. of Wemys, Vedast Grersoun of the Lag, Roger of Kyrkpatrik of the Knok, and Gilbert of Lumsdene. (*H.*)

Seal appended, perfect.

121. 1st July 1458. Instrument narrating that David Hay of Yestir, Knight compeared and asked from the King the lands of Morhame which had been recognosced by the King as dimitted at wadset, which the said King, after a short time, having had debate upon the matter, granted, and relaxed the lands to Sir David. Dated 1st July 1458. At the Kirk of the Friars Preachers of Perth. (10 a.m.) Witnesses, Sirs Thomas and Thomas, of Whithorn and in the universal Church, Bishops, Master David Crannoch, David Crechtoun, and Robert Napar. Henry Logane, notary. (*H.*)

122. 26th July 1458. Instrument on the Submission by Dame Marioun of Dowglas prioress of Hadington and convent thereof, on the one part and Sir David Hay Lord of Lochorwort and Yester Knight, on the other part, whereby they agree to abide by the Decreet of 3 or more of the following persons viz. John Lord Lyndissay of the Byris, Sir Patric Hepburn of Waulchtoun, Knycht, James Home of Elstanefurd, William Lindissay of Garmyltoun, George Synclar of Banglo, John of Swyntoun of that Ilk, Henre of Ogyl of Popil, John of Newtoun of that Ilk; anent the boundaries and extent of the lands of West Hervystoun pertaining to Lord Lyndissay and Bernard of Halden, with the lands of Nwn Hervystoun and also of Oxtoun: Submission (Notarial Copy) dated 26th July 1458. Witnesses, John Lindissay, Alexander Grame, Sym Heryot, John Grame and Thom of Bekyrtoun. Instrument dated 6 p.m. 7th February 1458, in the house of Archd. Hepburne, Haddington: Witnesses, Robert of Erskyn, David of Erskyn, Archibald of Lyil, Archibald of Hepburne, John Doby, Alan and Alan Broun. Alexander Clerk, notary. (*M. and H.*)

123. 31st March 1461. Decreet of Parliament held at Edinburgh 14th March 1460, in a question between Sir David Haye of Yestir Knight, on the one part, and Edmond Hay his brother on the other part anent the lands of Morhame: decerning that the Act made in the Parliament of King James II. the 29th January 1449 for John Lyndesay of Dunrod against the said Sir David the Haye anent the lands of Morhame be execute, excepting 3 acres of the thymis of Moreham and about it, on which the tour and house of Moreham is built; upon which the Lords continues the debate thereof on to Wednesday

11 days after Pasche, which shall be the 15th April next, at Stirling, or wherever the Council happens to be, to which diet the saids Sir David and Edmond are summoned, and ordaining that the said lands (except the 3 acres foresaid) be let to the said Sir David, with the lands called the Walkmyln of Wyndan, the Soumys of Pontonis landis, Lachisland in Duncanelaw, and 12 merks of annuelrent of the lands of Yester. Given under the Great Seal at Edinburgh 31st March 1460. (*M.*)

Fragment of Great Seal attached.

123A. 7th Feb. 1461/2. Transumpt, by way of Instrument, of Transumpt, (No. 71A) of Charter (No. 70) by James I. at the instance of Sir David Haya lord of Zestir, knt.: Done in the Parish Kirk of Linlithqw 7 Feb. 1461: Witnesses, Sirs Rob. Man and David Bel, Chaplains, Nicholas Haya, Archd. Malvil, and Thos. Todrik: Alex. de Foulis, clerk S. And. dio., N.P., I.a. (*H.*)

124. 7th July 1462. Charter by David de Hay lord of Zestir, knt., to John le Haye, his son and apparent heir, and Mariota Lindesay his spouse, because of marriage contracted between them, of his lands of Westirhopprew with pertinents, except the meadows called Tarffis medow and the Hall medow, also his lands of Fulyart, Schelehope, and Wyntirhope in the barony of Lyne, and an annualrent of 4½ marks from his lands of Crammalde in said barony, all in the shire of Peebles: To be held by the said J. and M. in conjunct (fee) and their heirs, etc. in fee and heritage of the King in Ward and relief: At Zestir, 7 July 1462: Witnesses, John Lindesay, son of John, Lord Lindesay of the Biris, Wm. Cokburne of Newhall, Nicholas Haye, Wm. Haye of Menzane, Wm. Lindesay of Garmyltoune, Ard. Hepburne, Wm. Hepburne, Alex. Hepburne, Pat. Haliburtoun, and Alex. Clerk, N.P. Contained in Great Seal confirmation following, see No. 124A. (*H.*)

124A. 27th August 1462. Confirmation under Great Seal of No. 124: Edinburgh, 27 Aug. 1462: Witnesses, Andrew, Bishop of Glasgow: Andrew, Lord Avandale, Chancellor: Colin, Earl of Ergile, Archd., Abbot of Holyrood of Edinburgh; Gilbert Lord Kennedy: Rob., Lord Boide; Masters James Lindesay, Provost of the College Kirk of Lincloudane: and Arch. de Quhitlaw, Secretary. (*H.*)

Fragment of Great Seal appended. Not in Reg. Mag. Sig.

125. 19th March 1463/4. Instrument of Sasine on Sale by William of Furde burgess of Haddington in favour of George Bartrame burgess of Edinburgh, his heirs and assignees, of a stone stair lying and built between the tenements of the saids William and George, in the burgh of Haddington on the west side of the Hardgate thereof: Dated 19th March 1463. Witnesses, Patrick of Cokburn of Newbyggyn and William of Haliburtoun, bailies of the said burgh, Robert of Haliburtonn, Robert Galway, Richard of Cokburn, Walter of Cokburn his son, Robert Congyltoun, William Galway, Robert Cristisoun and John Hugon. Alexander Clerk, notary. (*M.*)

125A. 5th April 1464. Imprimis ane ratificatione & confirmatione (be way of instrument) grantit be dowgall medowell sone & air of umqll. dowgall medowell of mckarstoune his father to st edmond his altar in the colledge kirk of st. (*sic*) bothanes & to the chaplaine servand the cure ther for ever of the peic of land in gamilstoun Lyand neir the sd. Kirk in augmentatione of the manse of the sd. chaplaine of ane chartor conteinis ane frie gift of the same noter thereto is alexr. clerk of the dait 5 ap. 1464. *No. 1, 17th cent. Inventory of the "Edmond Altar of the colledge Kirk of Bothanes" writs.* (*H.*)

126. 6th Oct. 1464. Paper Indenture, in vernacular, dated Peebles, 6th Oct. 1464, between John the Hay of Westir Hopprew and Master Rob. Esse, Vicar of Stobo, anent the Edificatioun and Reparacoun of S. Michael's chapel of Wester Hoprew: whereby the vicar agrees to contribute £20. of which £5 is paid, and the rest to be paid within 20 days, which sum quit-claims him for life: Witnesses, Wm. of Cokburne of Cakmuwr, Mr. Thos. of Cokburne, Necol the Haye, Thos. the Haye, Schyr Ademe Fylder, and Thos. Zounge. Signed "Robtus vicaus de Stobo manu ppa." The seal of Sir Richard Purdy, Vicar of Petynane, because R. E. had none, has been impressed, but is gone. Also signed but smudged out, "John ye hay manu ppa." (*H.*)

127. 12th Nov. 1465. Collation by David prior of the Cathedral Kirk of S. Andrews, and Vicar General in the vacancy of the See thereof, to Sir Wm. Tothryke to that prebend in the College Kirk of Bothanys, vacant by the death of Mr. John Belle, the last possessor on presentation by Sir David de le Hay of Lochquhorwrte knt.: S. Andrews 12 Nov. 1465. Seal of office of the Vicar General appended in good condition. It bears, beneath the effigy of S. Andrew on his cross within a canopy, etc., a shield with a saltire. To the second tag (*cauda*) is appended the seal of Mr. Wm. Foular, Dean of Haddington, in sign of his having given institution. (*H.*)

128. 26th Nov. 1465. Charter by William Hay, Knight, son and heir of the late Edmund Hay of Thallow, to the altar of St. Edmund situated in the Collegiate Kirk of Bothanis, and Sir Robert Morhame chaplain of the said altar and his successors, of the Milnelands of Duncanelaw, lying on the north part of the Water of Zester opposite "le Bothanis" within the barony of Duncanelaw, and an annual-rent of 26 shillings 8 pence scots, furth of the lands of Wyndene lying in the said barony, constabulary of Haddington and shire of Edinburgh and failing the lands of Wyndene, the said annual-rent to be taken furth of the lands of Lynplum—in pure and perpetual alms. At Hadington 26th November 1465. Witnesses, Sir John Cokburn, vicar of Caldorcler, John Zong rector of Morhame, James Lempatlaw vicar of Makcarstoun, James Ballyngal, chaplain, Robert Grenlaw and Alexander Clerk, notary public, burgesses of Hadingtoun. (*H.*)

Seal gone.

129. 3rd Dec. 1465. Testimonial of Sasine by Archd. Lill following on precept by Sir Wm. de Hay, son and heir of umquhile Edmund de Hay of Talow, dated Haddington, 26 Nov. 1465, to Archd. Lill, Rob. Grenlaw and Wm. Geddes his baillies following on his Charter, No. 128, given by stone and earth at the Mylnland and at the head messuage of Vyndene by delivery of a penny: Seal of Lill, as baillie, appended at Bothans said date: Witnesses, Jas. Lempatlaw, vicar of Makcarstoun, Wm. Hay, Alex. Morhame, Dav. Bartre, Wm. Morhame, and Gil. Duguid. (*H.*)

Lill's seal appended in fair condition.

129A. 7th Feb. 1465/6. Ane instrument of Sasine of the quarter of the landis of Linplum gevin be Dungall McDowalle uppoune the retour of Sir Wm. Hay of Tallo the 7 of february 1465, under the subscriptioune of Alexander Clerk Notar. *No.* 39, 1617 *Linplum Inventory.* (*H.*)

130. 12th July 1466. Instrument narrating that Archd. Malvyn, procurator for Sir David Hay of Zestir, knt., asked Malcolm, Abbot of Arbroath, superior of the lands of Etkcarmure, which he had had (*sic*) recognosced in his court held Day. Heriss of Deryn at Arbroath, to relax the said cognition and demit em *ad plegum*, which the said Abbot did: At the town of Arbroath, 11 a.m.

12 July 1466: Witnesses, Wm. Baldovyn of that Ilk, Alex. Stewart, Henry Ffechy, and Mr. Thos. Dickyson: Wm. Calwart, clerk S. And. dio., N.P., L.a. (*H.*)

131. 14th July 1466. James be the grace of god king of Scottis To our lufed Williame the Haye of Ury greting: ffor alsmekil We be the avise of our consele his understanden that our lufed David the haye of Yhestre knight has a confirmacone of his landis of Admure the whilk landis ye clayme to have in entermetting be resone of tak of our Warde of Eroll: We charge yhu straitly that yhe distrouble na vex nought the saidz landis of Admure na the tenendz of thaim na intermettis nought with thaim as yhe Wil ansuer us and our consele tharapoun: undir alle payne and charge may efter folow: Geven under our signet at Strivelyne the Xiiij day of Julij: the yher of our Regne the Sext (Jas. III. a.r. 1466). (*H.*)

Written on a long narrow strip of paper; fragment of signet impressed remains.

131A. 20th Janr 1466/7. Ane precept of seasing grantit be wm. hay of thalow for infefting of sir robert morham & his successoris chaplaines at st. edmondis altar in augmentatione thereof of his cotland in Dunkanlaw seillit & not subt. at hadingtoun 20 of Jar. 1466. *No.* 5, *Edmond Altar Inventory.* (*H.*)

132. 26th Janry. 1466/7. Notarial Transumpt of No. 58 by Pat. de Cokburne of Newbigging, sheriff depute of Edinburgh in the constab. of Haddington, sitting in judgement in the Tolbooth of H., at the instance of Archd. Lyil, attornay of Sir D. de Hay lord of Zestir knt: Tolbooth of H., 26 Janry. 1466: Witnesses, Sir John de Swyntoun of that Ilk knt., Wm. de Cokburne of Newhall, Wm. Balze of Hepryg, Sir Wm. de Hay knt., John de Newtoun of that Ilk, Wm. Haliburtoun, Wm. Hog, Edward de Creichtoun, John de Aytoun, and John Crosar: Alex. Clerk, clerk dio. S. And., N.P., L.a. (*H.*)

Seal of sheriff appended in fair condition, chipped.

133. 12th March 1466/7. Retour of inquest made in the Court of David of Hay Lord of Zester and baron of Duncanlaw, Knight, before Archibald Lill baillie on 12th March 1466, by George Lil of Stanepeth John Newtoun of that Ilk, Ochtred MacDouel, Henry Ogil of Popil, James Lyil, Johne Gedas, Archibald Malwyn, Alexander Newtoun, William Chernsyd, Cuthbert Abernethy, Archibald Dal, William Dewer, Patrick Trottar, Alexander Morham and Johne Carne, finding Sir William of Hay, Knight, lawful and nearest heir to the late Edmund of Hay of Thalow his father, in the quarter lands of Lynplum, lying in the barony of Duncanlaw, shire of Edinburgh and Constabulary of Hadington: Which lands are valued at 2 merks in time of peace; and hold of the Lord of Zester, as baron of Duncanlaw, in chief—and were in the hands of the said Lord for the space of 3 years from the death of said Edmund through defect of the true heir not following his right thereto. (*M.*)

The seals of five of the members of Inquest are appended, three of which partly broken.

134. 2nd April 1467. Instrument of Assedation by Dame Annabella Boyd relict of Edmund of Hay of Thallow with consent of Patrick of Dunbar Lord of Bele then her spouse, to Sir Robert Morhame chaplain of the altar of St. Edmund, the King and martyr, situated in the Collegiate Church of Bothanis, and his successors of the terce of a "terre cotarie templarie" lying in the town of Duncanelaw, and the third part of the mylnlands, lying in the

territory of Duncanelaw, belonging to her terce by the decease of the said Edmund Hay her husband, Which lands &c., William Hay, Knight, her son, gave to the said altar in augmentation of the infeftment by the said late Edmund Hay; in pure and perpetual alms: Dated 2nd April 1467, in the Cloister of the Friars Minor of Haddington, 3 p.m.: Witnesses, Sir John of Swyntoun of that Ilk, Knight, Sir William Hay, Knight, Edmund of Hay his brother, William Home of Rauchburn, Robert of Grenlaw, John Geddes and James Colylaw: Alexander Clerk is notary. (*M. and H.*)

135. 8th May 1467. Retour of Inquest before Thos. de Hay, baillie of Sir D. Hay lord of Zestir and of Hoprew, knt., on 8 May 1467, at Thankertoun by the following jury, Geo. Chansler of Cothquene, Alex. Bailye of Cormastoun, Wm. Broun of Hertre, Thos. Portus of Hawkschawis, Thos. de Sandelandis of Myddilryg, Wm. de Callyrwod of Tode, Wm. de Geddes of Ladehurd, Jas. de Tuedy of Cordoyn, John Inglis of Hangandschaw, Simon Fresail, Rob. de Threpland of Mychelhil, Jas Somervil, Rob. Welch, John Patonsoun, and Thos. de Balkasky, finding Chas. de Geddes, heir of his father, umquhile John de G. in 10 bovates of land of Thankertoun (etc., as in No. 39) worth 100s. per annum, in superior's hands for 6 weeks through the death of said John G. (*H.*)

136. 3rd Aug. 1467. Instrument of Sasine by Archd. Lyil, baillie of Sir D. de Hay lord of Zestir knt., to Sir Wm. de Tothryk, chaplain, of the liferent of an annualrent of 5 marks from Sir David's lands of Blannis: Done on said lands, 11 a.m. 3 Aug. 1467. Witnesses, Sir Jas. Ballyngal, chaplain, Adam Daw, serjeant, Jon Ker, Pat. Cristisoun, Wm. Gourlay, and John Johnnsoun: Alex. Clerk, notary. (*H.*)

Seal of baillie appended in good condition.

137. 24th Oct. 1467. Instrument on the relaxation of the lands of Glencotho, Peeblesshire, which had been recognosced at the King's command, by Andrew, Lord Avendale, the Chancellor of Scotland at the petition of Thos. Haya, procurator for Sir David Haya of Zhestir knt., in the presence of the other Lords of Council: Done in the King's Palace Linlithgow, 3 p.m. 24 Oct. 1467: Witnesses, Colin, Earl of Ergile and Lord Campbel; Rob., Lord Boyde; Rob., Lord Lile; Mr. Jas. Lyndesay, provost of Lincloudane; Mr. David Guthre, Comptroller of the Rolls; and Mr. Archd. Quhitlaw the King's Secretary: Alex. de Foulis, clerk dio. S. And., N.P., I.a. (*H.*)

138. 28th July 1468. Instrument of Sasine by Thos. de Hay, baillie of Sir David de Hay, knt., lord of Zester, to Alex. Lokart, attornay for Sir Wm. Hay, knt., of an annualrent of 2½ marks from the lands of Westerhopprew: Done at Hopprew, at the gate of the house of said T. H., 9 a.m. on 28 July 1468: Witnesses, Geo. Geddes, Edward Boroniam, Thos. Stewinsoun, Thos. Blak, and Wm. Millar: And. Zonge, priest Glasg. dio., N.P. I.a. (*H.*)

139. 22nd Nov. 1468. Instrument, at the instance of Sir David Hay of Zestyr, knt., upon his consent to pay expenses of Patrick, Abbot of Newbotyle of the Cistercian Order, judge and executor of certain apostolic letters and processes of the Pope, obtained by the said Sir David against Rob. Lord Flemyng upon the right of Patronage of the Parish Kirk of Bygar: Done in the College Kirk of Dalketh, 11 a.m. 22 Nov. 1468: Witnesses, Hugh Douglas of Borg, John Cranstoun of Svynhop, Jas. Flemyng of Bord, John Neutoune of that Ilk, John Gyfferd, Mr. Alex. Gyfferd provost of College Kirk of Dalketh, Mr. Jas. Dowglas, prebendary of said Kirk, John Burnet, John Stanhouss, Wm. Gybson, John Hatle, chaplains, Masters Rob. Cottis and John Lokhart, notaries, Nicholas Watson, Geo. Dowglas, Dav. Wrycht, Thos. Barbure, and Thos. Stanhouss: Rob. Halywell, priest dio. S. And., N.P., I.a. (*H.*)

140. 1468. Paper schedule of excerpts produced on behalf of Robert Lord Fleming before the Abbots of Newbotyl and Dribruch, mentioning the Apostolic letters obtained by David Hay of Yester addressed to the Abbots of Newbattle and Dryburgh and Official of S. Andrews, delegated Judges in the cause between him and Rob. Lord Fleming anent the patronage of Kirk of Biggar: Appeal by D. H. to Mr. Symon de Dalgless Precentor of Glasgow, Judge depute by the ordinary: Citation of Lord Fleming at the Kirk of Kyrkyntuloch and Castle of Cummyrnalde: etc. Undated. (*H.*)

140A. 17th December 1468. A contract of mariage betuix Jon hay sone to david Lord of Zester and elizabeth cunninghame dochtir to geo. cunninghame of beltune of the daitt the 17 day of december 1468. *No.* 15, 1619 *Belton Inventory.* (*H.*)

140B. 18th Decr. 1468. Ane band (of) Interdictioun quhair Sir Wa. Cunninghame of beltune Knyt and geo. cunninghame his sone band thameselffis to the said Jon hay that they sould not analie nor dispone any of thair Landis without his consent of the daitt the 18 of decembr. 1468. *No.* 16, 1619 *Belton Inventory* (*H.*)

141. 18th Dec. 1468. Obligation, in vernacular, by Sir Wm. of Cunyngame of Beltoun, knt., and Geo. of Cunyngame, his son and apparent heir, to pay 1000 marks to John the Hay, son and apparent heir of Sir David the Hay of Zestir, knt., "becaus of maryage to be made betuix the said Johne the hay and Elisabeth of Cunyngame the dochtir of me the said george gif it happynis that God providis me the said george til haf ony ayris male lachfully gottyn of my body," to be paid in instalments upon the High Altar of the College Kirk of the Bothanis, the first £50 on Whitsunday or Martinmas in Winter "eftir that it be notourly knawyne that I the said george haf ony heirs male etc.": Haddington, 18 Dec. 1468: no witnesses. (*H.*)

Seal of Sir Wm. is appended in good condition. That of Geo. C. is gone.

142. 18th Dec. 1468. Obligation, in vernacular, by John the Hay, son and apparent heir of Sir David the Hay of Zestir, knt., to Sir Wm. of Cunyngame of Beltoun, knt., and Geo. of Cunyngame his son and apparent heir, "in the soume of a thousand markis of usuale mone of Scotland becaus of maryage to be made betuix me the said Johne the hay and Elisabeth of Cunyngame the dochtir of the said george of cunyngame gif that god providis that the said Elisabeth the dochtir of the said george beis ayr to the saidis schir William or george of all the landis belangyng to the saidis William or george excepand the landis that war talzeit of ald tyme," to be paid in instalments on the Altar of the Chapel of Beltoun, the first £50 on Whitsunday or Martinmas in winter "eftir that it be notorly knawyne that the said Elisabeth is ful ayr to the saidis Schir William or george." Haddington, 18 Dec. 1468: no witnesses. (*H.*)

Seal of John Hay appended in fair condition.

143. 25th Feb. 1468/9. Letter in vernacular under the testimonial of the Great Seal narrating decreet of the Parliament held at Edinburgh by King James III. 23rd February 1468: In which Alexander Cokburne and Matho Cokburne are ordained to "devoide and red" the lands of Crammalde, and Uuer Megot, to Sir David the Haye of Yestir, Knight, and to find caution in 300 punds that they shall not intromite with the said lands, or disturb the said Sir David therein in time coming, and to pay 5 merks of costs. At Edinburgh 25th February 1468. (*M. and H.*)

Quarter seal.

144. 14th May 1469. Letter from James III., in vernacular, to David the haye of Zestir knicht, about the contention between Hay and Robert Lord Fleming over the patronage of Biggar Kirk, forbidding him and his friends to come in "fere of were," against the sonnys of Fleming to whom he has also written, "for the gadering of lanimys woll and uthir teyndis and dewiteis pertening to the said personage," because he has ordered the Vicar General of Glasgow to sequestrate the fruits of said parsonage in the hands of Maister Adam of Cokburne of Scraline to be kept by him on behalf of the party who finally obtains the parsonage by process of law: Given under the Signet at Edinburgh 14 May and year of reign the ninth. (1469): Signed James S.R. (*H.*)

Impression of Signet gone.

145. 3rd August 1469. Papal Dispensation direct by Phillip Bishop of Albano to the Bishop of Glasgow or his vicars for the marriage of John Hay laic and Elizabeth de Cunynghani being in the fourth degree of consanguinity. Dated at St. Peter's Rome 3rd August in the fifth year of the pontificate of Pope Paul II. (1469). (*M.*)

The official seal of the Penitentiary is appended.

146. 24th Sept. 1469. Instrument narrating that John Hay, son and apparent heir of Sir David Hay of Zestir, procurator of Andrew Hay, Rector of Bygar, passed to the Parish Kirk of Bygar; presented to the notary certain apostolic letters or bulls of Pope Paul II., dated 10 Kal Dec. 1468, with a process executorial by Francis, bishop of Terinsin, judge and executor in this case, under the subscription of John Bectonibus, notary and tabellion, confirming the dimission of the late John Arroys last possessor; and upon the reading thereof requested Patrick Bochut, curate of the said kirk, to give him possession as procurator, which the said Patrick did, giving him possession of the said Rectory with all its fruits, rents and emoluments, with glebe, toft, croft and manse, by delivery of the keys of the door and ornaments of the Altar, immediately after solemn mass: Done 11 a.m. 24 Sept. 1469: Witnesses, Wm. de Callerwode of that Ilk, Arthur Flemyng, Ninian Callerwode, John Crawfurde and Andrew Lowys: Wm. Fergusii, vicar of Crawment Dunkeld dio., N.P., I.a. (*H.*)

147. 30th Sept. 1469. Instrument on the presentation by John Hay, etc., as in No. 146, of bulls by Pope Paul II., dated S. Peter's, Rome, 1468, and a Process by Francis, bishop of Terinsin in the city of Rome, anent Biggar to Andrew, Bishop of Glasgow and their fulmination by him: Done in the Bishop's room in his City of Glasgow, 6 p.m. 30 Sept. 1469: Witnesses, Thos. de Forsyth, canon of Glasgow, Thos. de Hay, Nicholas de Leodio, and Roger de Murhede: David Rede, priest, Glasgow dio., N.P., I.a. (*H.*)

148. 11th Oct. 1469. Decreet by way of instrument by Gaspar de Theramo, Dr. of Decreets Provost of the Churches of Tridentin and Lausanen, Chaplain of the Pope and his holy Palace and Auditor of Causes specially depute, in the cause between Sir David Hay, lord of the place of Zestir, and Rob. Lord Flemyng over the right of patronage and presentation by turn to the Parish Kirk of Bigar, as stated in a petition by John March Rector of Bigar against Andrew Hay, pretended clerk: procurator for Hay, Mr. Antony de Rugubis, for March, Mr. Peter de Milinis: Dated at S. Peter's, Rome, Wednesday 11 Oct. 1469: Witnesses, Masters Egidius Dass and Herman Plenyneli, Notaries Public writers, and our clerks of the monastery and diocese of Leodin: John Hagenwiler, clerk of the dio. of Constance, N.P. A. and I. (*H.*)

Seal, which has been attached by cords, is gone.

149. 10th Nov. 1469. Charter by Sir David Hay of Zestir, knt. to his son and heir apparent, John Hay, of an annualrent of 2½ marks from the lands of Westir Hoprew, in the barony of Hoprew, and shire of Peebles, resigned by his kinsman Sir Wm. Hay of Tallo, knt.: Zestir, 10 Nov. 1469: Witnesses, John Guvane of Cardrono, Ninian Lowis, son and heir apparent of Thos. L. of Mennare, Archd. Lile, Jas. Lile, Wm. Hay of Mynzet, Thos Hay, Richard Bissate, Rob. Lowis, and Wm. Geddes. (*H.*)

Seal appended.

149A. 23rd Nov. 1469. Ane procuratorie of resignatioune of ane quarter of the landis of Linplum maid be Sr. Wme. hay of Tala in the handis of dungall mcdowgall Daitit the 23 of november 1469. *No.* 79, 1617 *Linplum Inventory.* (*H.*)

150. 25th Nov. 1469. Instrument of Resignation by Sir Wm. Hay of Tallow knt. to Sir David Hay of Zestir knt. as superior of an annualrent of 2½ marks from Wester Hoprew in favour of John Hay (as in No. 149): At Edinburgh in the hospice of Martin Mannewell, 11 a.m. 25 Nov. 1469: Witnesses as in No. 149: Thos. Unthank, clerk S. And. dio., N.P., I.a. (*H.*)

Seal of Sir Wm. Hay appended, in good condition.

151. 25th Nov. 1469. Paper Letter of Warrandice by Sir Wm. Hay of Tallo knt. of his resignation to John the Hay son and heir of Sir D. Hay of Zestir of 2½ marks annualrent from Westir Hoprew, see No. 150, and in especial that J. H. should not be vexit by Annabell Boid "my moder" now the spous of Patric Dunbar of Bele nor by the said Patrick for her third or terce of said annualrent the granter's lands of Tallo and Kingildurris becoming liable for the amount: Edinburgh, 25 Nov. 1469: no witnesses. (*H.*)

Seal impressed, quite gone.

152. 27th March 1470. Collation by Patrick Bishop of S. Andrews to Sir John Walas, procurator of Sir David Gundy prebendary of Kirkbank in the College Kirk of Bothans, of the prebend of the Alter of S. Ninian in the said Kirk, vacant by the resignation uf Sir Wm. Tothrik, on presentation by David Hay of Lochorwart: At the Palace (palatium) of Petyniveim, 27 March 1470: and 6th year of consec. Witnesses, Masters Wm. Blar vicar of Carale, Jas Dowglas, and Wm. Mowat, Pat. Annand and Sir John Gray N.P. (*H.*)

Both seals gone.

153. 27th March 1470. Collation by Patrick Bishop of S. Andrews to Sir Wm. Tothryk, prebendary of the Altar of S. Ninian in the College Kirk of Bothanis, to the prebend of Kyrkbank in the said Kirk, vacant by resignation of Sir David Gundy through his procurator Sir John Walas, on presentation by Sir David Hay of Lochorwart knt.: At the Palace of Petynweim, 27 March 1470: Witnesses as in No. 152. (*H.*)

Round seal of the Bishop appended in good condition, and, in sign of his having given institution, the seal of Mr. Wm. Foular, Dean of Haddington.

154. 13th April 1470. Indenture between Sir David the Hay of Yester, Knycht, on the one part and Sir Robert of Morham perpetual Chaplain of the Altar of St. Edmund, within the College Kirk of Bothanis, whereby the said Sir David sets and in feuferme letts to the said Sir Robert his part of the Walkmyln lands of Duncanlaw, with a part of the said lands now pertaining to the said

altar, and to the said Sir Robert and his successors, by assedation in feuferme made by his sister's son Dungal Madowal of Malcarstoun and portioner of the lands of Zester, Duncanelaw and Morham ; with another part of the said Walkmyln lands set to the said Altar and chaplain by William the Hay of Talow, Knicht, son and heir of Umquhil his (the granter's) brother Edmund the Hay of Talow ; Which Assedations the said Sir David hereby confirms ; with freedom to the said Sir Robert "to byg his walkmyln and to lay and bynd a part of his dam on the manis of Zester oure the water ryunand betwyx the baronis of Zester and Duncanlaw and to tak up rutis and bushis with erd and stane to byg and beit the said dam and the lade of it sal ryn fra the gret water to the Welburne thruch the commone of Duncanlaw and Duncanis bog and fra thin it sal ryn to the said Walkmyln for to be byggit in the Walkmyln croft within the fulze of Duncanlaw forgan the Bothanis and the wayflame behynd the myln pot sal pas oure the gate that gais fra the Bothanis to Duncanlaw and sal ryn agan in the Water at the south end of a Cotland pertenyng to the said Schir David." Holding of the granter in feuferm for yearly payment of 20 shillings scots : Sasine given to Sir R. M. in confirmation by Sir D. H. : Dated at the College Kyrk of Bothanis 13th April 1470 : Witnesses, John the Hay son and apparent heir to the said Sir David, William the Hay, Andro the Hay, and Robert the Hay also sons of the said Sir David, Sir Richard of Knollis vicar of the Bothanis, Sir James of Lempatlaw, Vicar of Malkarstoun, Sir Nichol the Hay, Sir David Gundy prebendaries of the said College Kirk, Sir James Baungall, Sir Dungall the Hay and Sir George Kylow chaplains. (*M. and H.*)

The seal gone.

155. 28th May 1470. Instrument of Submission by Robert Lord Flemyng and Sir David Hay of Yhestir knt., in the cause between them over Hay's lands in the lordship of Bigar, the patronage of the Parish Kirk and the Hospital of Bigar, and Fleming's lands in Twedal, to the following arbiters, Rob. Fleming son of said Lord, Thos. Fleming brother of said Lord, Sir Thos. Atyhinsoun priest, Geo. Cunynghame son and apparent heir of Wm. C. of Beltoun knt., Thos. Lowys of Mener, Sir John Cokburne vicar of Caldirclere, Masters John Ottirburne Official of S. Andrews in Lothian, and Wm. Foular vicar of Kilmachome, and Sir Richard Robertson (Roberti) canon of Aberdeen : Edinburgh 28 May 1470, in the room of the said Official at 9 a.m. : Witnesses, Malcolm Fleming son and apparent heir of Lord F., John Hay son and apparent heir of Sir D. H., Wm. Hay, Thos. Hay, Valter Twedy, Wm. Burne, Mr. David Huchisoune and Sir Matthew Dalgless priest : Rob. Cotis, priest Glasg. dio., N.P., I.a. (*H.*)

156. 28th May 1470. Duplicate of the foregoing, written in a less elaborate style on a smaller piece of parchment. (*H.*)

157. 29th May 1470. Instrument narrating Decreet, in vernacular, by the Arbiters appointed in No. 155 (John Otterburn is here styled Licentiate in Decreets, Provost of Methven, Canon of Glasgow, and Official) decerning that Lord Fleming is to have all the lands of the lard Yhestir in the barony of Bigar with the patronage of Kirk and Hospital of B. in exchange for his (Fleming's) barony of Olivercastel and the half of over Kyndildoris with the superiority of Frude, Polmude, Cokkeland, and Glenquotho, the quhilk the half ourlordschip pertenyt to the said lord flemyn of befor Reservand to the lorde of a chemis within and a square acre of Olivercastel lying between the Kingis streit and the berne burne ; and the Lord F. to make his cousin Andro Hay son of Sir D. H. a yearly pension of 25 marks, the said Sir D. H. and A. H. resigning all claim to the patronage etc. : ratifying the sentence dimissive by Masters Simon of Dalgless and Martyn Wane upon said patronage etc. : and Fleming [illegible] Hay to pass this nycht or to morne be none at the ferrest befor oure [illegible]erane lord and Ilkane of yhame to mak Resignacionis of the forsaid landis

eftir the tenor of this decreit, signed by all the arbiters and written by one of their number, Geo. Cunninghame, at Edinburgh 29 May 1470: Done in the room of the said Official in Edinburgh, 1 p.m. 29 May 1470: Witnesses, Malcolm Fleming son and apparent heir of Lord F., John Hay son and apparent heir of Sir D. H., Thos. Hay, Walter Tuedy, Wm. Menteith son and heir of John M. of Kerss, Wm. Burne, Rob. Burne, Adam Mwr and Alex. Howysoune: Rob. Cotis, notary. (*H.*)

158. 29th May 1470. Duplicate of the foregoing, written in less elaborate style. (*H.*)

159. 30th May 1470. Obligation by Rob. Lord Fleming in terms of the decreet, No. 157, to his cousin Andrew Hay son of Sir D. H. of Yhestir knt., of a yearly pension of 25 marks payable in two portions, at Pentecost and Martinmas in winter, within the Parish Kirk of Bigar for all the days of Andrew's life: At Edinburgh, 30 May 1470. (*H.*)

Seal gone.

159A. 1st June 1470. Sixteenth century copy (see 8 March 1525/6) of a Letter from the King under the Privy Seal narrating that for certain causes shown to the King and Council by David Hay of Zestir, Knight, "that the wilfulness of the said David will nocht be rewlit be ressone in the governance of himself his landis and possessions tharfor apone the gud zele and favouris that our progenitouris and we had and has to the said David and his antecessouris for thair trew service and lawte that thay and he has kepit to our said progenitouris and us in all tymes bygane, our will is that the said David aeris prospir and procede to his heretage but devision or alienatione of the samyn. Tharfor we charge stratly and commandis all and sindry our liegis and subditis spirituale and temporale that nane of thame tak apon hand to by ony landis wedsettis gyf formalis or tak obligationis or any uther maner of feftmentis fra the said David in tyme cuming that may be prejudice to Jhone the Hay his sone and apperand air or to thame that cumis of hym lauchfully undir all the hieast pane." At Edinburgh 1st June 10th Year of the King's reign, 1470. (*M.*)

160. 12th July 1470. Crown Charter of Confirmation in favour of John le Haye son and apparent heir of David le Haye of Yestir, Knight, of the lands of the barony of Oliverecastel and half of the lands of Vuyr Kingildurris, with the superiorities of the tenandries of the lands of Frude, Polmude, Coquelande and Glenquotho, lying in the Sheriffdom of Peebles; on resignation by Robert Lord Flemyng in Excambion with the said David le Hay, Knight, for his lands in the barony of Bigare, with the right of patronage of the church and Hospital of Bigare. Holding of the Crown in fee and heritage, for the usual services. Reserving to the said Robert Lord Fleming one messuage of the lands of Oliverecastell. At Edinburgh 12th July 1470. Witnesses, Andrew, Bishop of Glasgow; Thomas, Bishop of Aberdeen, Keeper of the Privy Seal; William, Bishop of Orkney; Andro Lord Avandale, Chancellor; Colin Earl of Argyle, Master of the Household; William Knowis, preceptor of Torphichen, treasurer; John of Colquhoun of that Ilk, knights; Masters David of Guthre of that Ilk, Keeper of the Rolls; and Archibald of Quhitelaw, Archdeacon of Lothian, Secretary. (*M. and H.*)

Great Seal appended, complete. (Not in Reg. Mag. Sig.)

161. 4th March 1470/1. Decreet by way of Instrument given by David Kay, Doctor of Decreets, official principal of St. Andrews, Judge and Commissary of Patrick Bishop of St. Andrews, adjudging Sir David Haya,

Lord of Yestir to have the right of patronage of the Provostry of the Collegiate Church of Bothans, and Andrew Hay his son, clerk of the diocese of St. Andrews provost thereof on presentation by his said father ; At the Altar of S. Katherine the Virgin in the Cathedral Kirk of St. Andrews 4th March 1470. Witnesses, William Lord le Grahame, David Graham his brother german, Robert Drummonth, Sirs and Masters John Gardener, Andrew Wardlaw, William Lawson presbyters, Thomas Masoun clerk of the diocese of Brechin, Andrew Gades and Thomas Fodby laics, Duncan Yhalulok priest of diocese of S.A., and Andrew Maurice priest of diocese of Aberdeen, notaries. (*M. and H.*)

The round seal and the seal of the official of St. Andrews, bearing a shield with a Saltire, are appended, the former rather defaced.

162. 18th March 1470/1. Collation by Patrick Bishop of S. Andrews, direct to Mr. Wm. Foular Dean of Haddington, of Andrew Hay, clerk of the diocese of Glasgow, to the Provostry of the College Kirk of Bothanis, vacant by the decease of Mr. Fergus Makdowell, last possessor thereof, on presentation by Sir David Hay, knt., lord of Zestir : At Edinburgh 18 March 1470. (*H.*)

Round seal of the Bishop and, in token of his having given institution, the seal of the Dean of Haddington (the same as that appended to Nos. 127 and 153) are appended in good condition.

163. 28th March 1471. Charter by Elizabeth Swift, daughter and heiress of umquhile Henry Swift, burgess of Edinburgh, and spouse of John Edmondstoun, to John Redepeth, burgess of Edr., and Mariorie Martin his spouse of her piece of land, built with stone walls, with waste and garden, lying in the said burgh of Edinburgh on the south side of the King's street within her own tenement between the stone gable of the south land of Wm. Lamb on the North side, land of Wm. Scheresmytht on S., lands of Pat. de Balbirny and Sir Rob. de Prestoun, vicar of Lintoun on W., and land of Wm. Lamb vulgarly called the Scof houss on E. : To be held by the said John and Marjory, and longer liver, and their heirs in feefirm and heritage : Paying 40s. yearly : Edinburgh 28 March 1471 : Witnesses, Henry Martyn, John Alansoun, Richard Rede, Henry Mclellan, Sir John Smale, chaplain, Thos. Unthank N.P., Alex. Caribris, Alex. Michelsoun, Jas. Achinlek, John Haliday, John Walch, and Wm. Nevy. (*H.*)

Seals of the granter, her husband, and Geo. de Penicuik bailie of Edinburgh appended, in fair condition.

164. 28th March 1471. Instrument of Sasine following on No. 163 by Geo. Penicuk, bailie of Edr. Done 2 p.m. 28 March 1471 : Same witnesses as in No. 163 except last four : Thos. Unthank, clerk S. And. dio., N.P. I. and R. a. (*H.*)

Seal of G. P. appended in fair condition.

165. 28th March 1471. Instrument of Sasine following on No. 163 by Geo. Pennycuk, bailie of Edinburgh, and also of the land of the said John Redepeth, lying in the said burgh on the W. side of the venelle called Leichwynd, between the land of Jas. Pahar on N., land of Alex. Thomsoun on S., close of umquhile Francis Prest on W., and close of said venelle on E., resigned by said J. R. in favour of himself and his wife Marjory Martin, at whose instance the instrument is made : Done 2 p.m., 28 March 1471 : Witnesses as in No. 163 : Alex. Michaelson, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of G. P. appended.

166. 28th May 1471. Letter of tack, in vernacular, by Dungal Makdowale of Makarstoune, and portioner of the lands of Zestyr, Dwncanlaw, and Morame, To Sir Robert of Morame, prebendary of the College Kirk of Bothanis, his heirs, and assignees, husbandmen and servants), Of his four husbandlands in the town and fulzhe of Zestyr, occupied by Sandris off Morame brodyr germane to the said schir Robert, Gilbert Dewgude, and Nychol Gylysoune, for the space of 19 years, entry at Whitsunday next: Paying 17 shillings and a penny yearly and the castell wardis to the King, compearance at the granter's courts at Yester, and general service; and acknowledging payment by R. M. of 46 marks 8 sh. and 10 pence for the 8 years male of the two husbandlands occ. by G. D. and N. G. and for the gersum, fowlis, caryage, dawerkis, and of all other chargis awcht and wont pertenand to the forsaid four husband landis: Haddington, 28 May 1471: Witnesses, Rob Ramesay of Curop; Archd. off Hepburne, burgess of H.; John off Hepburne, son to the sd. A., and Wm. Synclar brother german to Geo. Synclar of Blance. (*H.*)

167. 8th Aug. 1471. Charter by Thomas Newton brother german of John Newton of that Ilk, in favour of Thomas Moffet of Prestisbuttis, of an annual-rent of 4 merks, furth of his land lying in the town of Newtoun, once belonging to said Thos., in the west and on the north side thereof, lying in the Constabulary of Haddington and shire of Edinburgh; Holding of the granter in fee and heritage for payment of a Red Rose yearly at the feast of St. John the Baptist, in name of blench ferme; Under reversion for £40 to be paid on Altar of the Holy Cross of Lucano in the Kirk of the Preaching Friars of Haddington; At Edinburgh 9th August 1471. Witnesses, John of Newtoun of that Ilk, Sir John Gillasbysoune, Thomas Uthank, notary public, Walter Henrisoune, and John Walch. (*M. and H.*)

Seal of granter defaced.

167A. 21st Janry. 1471/2. A Retour of George Cunninghame quhair he is retourit air to umquhill Sir William Cunninghame in the Landis of beltune and kilpallet of the daitt 21 of Januarij 1471. *No.* 19, 1619 *Belton Inventory.* (*H.*)

168. 5th Feb. 1471/2. Retour of Inquest held in the burgh of Dumfries, 5 Feb. 1471, before Sir Rob. de Crechtone of Sanchquhar knt. sheriff of the said burgh, by the following jurors, Rob. Lord Maxwell, David Heris of Anendaill knt., Vedast Grersone of Lag, Almer Charteris of Amysfeld, Simon de Glendunwyn son and heir of Simon de G. of that Ilk knt., Rob. McBrair provost of the said burgh, Geo. Neilsone of Madinpap, Edw. de Crechtoun of Knokkis, John Neilsone of Corsok, Rob. Valch of Schawis Jas. de Kirkhauch of Soudanvell, Alex. Rorisone of Barndawnach, Stephan de Kirkhauch of Gleneslene, Alex. de Crechtoune of Craffurtstoune, David de Crechtoune of Vynterhop, Gilbert Grersone of Kirkbride, and John Maxwell of Colnhath; finding George de Cunynghame heir to his father Sir Wm. Cunynghame knt, who died about 6 weeks before, in the lands of the barony of Snayd, worth 40 marks per annum, held of the King in chief, and paying in name of blanche firme a pair of spurs or 6 sh. 8 pence at the Feast of S. John Baptist. (*H.*)

Three seals appended.

169. 15th Feb. 1471/2. Instrument of Sasine given by Rob. Fergussone of Brechinside following upon and narrating a Precept of Sasine from Chancery dated 11 Feb. a.r. 12, to Rob. Fergussone and Sir Rob. Crechtoune of Sanchar, knt., Sheriff depute of Dumfries following upon the Retour of Geo. Conyngame lord of Beltoun as heir to his father Sir Wm. C. in the barony of Snaid, and directing security to be taken of 13s. 4d. for duplication of the said lands: Done on the head messuage 11 a.m., 15 Feb. 1471: Witnesses, Vedast Greyrsone of Lag, Gylbert G. his son and heir, Gavin de Dunbar, son and heir of Archd. de

D. of Little Spot, Wm. de Gordoune, Michael de Wemys, Geo. Vouse, John de Cotis, Donald Greyrsone, Gylbert Malygane, also Sirs And. Howysoune, and Thos. Symsoune chaplains : John McIlhauch, clerk Glasg. dio., N.P. I.a. (*H.*)

Seal of R. Fergusson appended, in fair condition.

170. 11th March 1471/2. Instrument of Sasine by Sir Jas. Ledail of Halkerstone, knt., Steward of the Earldom of March following on and narrating a precept of Sasine by Alexander Duke of Albany Earl of March etc., dated Dunbar 24 Janry. 1471, following on Retour in the Duke's "Chapel" of Geo. Cunningham as heir to his father Sir Wm. C. of Beltoune, knt. in the lands of Beltoune and Kilpallet, and directing security to be taken of 40 marks for relief : Done 3 p.m. on head messuage, 11 March 1471 : Witnesses, David Home of Spot, Wm. Hepburne, Alex. Hume, Nigel Cuningham, Michael Wemis, esquires, and Rob. Roule and John Lamb, burgesses of Dunbar : Mat. Baidenagh, clerk Aberdeen dio., N.P. I. and R.a. (*H.*)

Seal of Office of the Steward appended, slightly broken.

171. 19th Janry. 1472/3. Charter by George de Cunyngame, lord of Beltoun and the lands of the Snaide, to John Hay son and heir of Sir David Hay of Zestir knt. because of marriage contracted between said John and Elisabeth de C. the granter's daughter, of 18 marks worth of land in the Snaide, namely £3 land in the Lagane, £1 land in the Brakanesyde, £2 land in Achynpatrik, £2 land in Strach, and £4 land in Makulstoun and Balleqwharne, lying in the shire of Dumfries : To be held in fee and heritage of the granter and his heirs ; Paying yearly a silver penny at Pentecost if asked ; and Reserving liferent to the said George : Haddington, 19 Jan. 1472 : Witnesses, Sir John Cokburne, vicar of Abyrcorne, Wm. Hay of Mynzane, Rob. Grenlaw, burgess of Haddington, Philip Cunyngame, Andrew Geddes, and Alex. Clerk N.P. (*H.*)

Seal of G. C. appended, in fair condition.

172. 14th Feb. 1472. Testimonial of Sasine given personally by George of Cunyngame of Beltoun, following upon No. 171 : Dated 14th February 1472. Witnesses, Gawane of Dunbar, William the Hay of Mynzane, Robert the Hay, Philp of Cunyngame, Gilbert Greifsoun, Alexander Greifsoun, Michel of Wemys, John of Cotis, George Wolf, John of Wod. (*M. and H.*)

Seal of granter in fair condition.

173. 5th Janry. 1473/4. Indenture between John the Hay of Olivercastell son and apparent heir of Sir David the Hay of Yestir, Knight, on the one part and Sir William the Hay of Tallo, Knight, on the other part, whereby the said Sir William agrees to deliver to the said John the house and castle of Morham, with three acres of land pertaining thereto, "unspulzit or parbrekyt of duris wyndowis zetis of irn or of three burdis trestis jestis loftis lokis keyis barris bandis or ony uthir reparatioun byggyng or necessary thingis wythin the said hous or barmkyn or uthir erde hows quhatsumeuer" at Whitsunday "cum four zeris next eftir followande the date of thir indentouris" ; also that the said John shall infeft the said William in seven and a half merks of annual-rent furth of his lands of Wester Hopprew lying in the barony of Hopprew and shire of Peebles, to be held of the said John in blench ferm for a penny if asked, under reversion that whenever the said Sir William is infeft in the quarter of the lands of Lynplum, holding of the said Sir David, in ward relief and marriage with suits of court, and the said John shall discharge the said Sir William of the 20 shillings of annual-rent of the said Sir William's lands of Wyndane the said Sir William binds himself to resign the said annual-rent of 7½ merks, and the said Sir William binds himself not to take a penny of the said annual-rent till the deliverance of the said house and place of Morham ;

Also the said Sir William shall infeft the said John in 10 pounds worth of his lands of Cragkyngildwris, lying in the barony of Olivercastle and shire of Peebles to be held of the over lord in blench ferm for a penny if asked at the ground in which now dwell John Henrisoun, William Henrisoun, Paule Henrisoun and Thomas Henrisoun and has in mailing of the said Sir William, under Reversion that whenever the said Sir William delivers the said house and place of Morhame and lands foresaid to the said John then the said John shall resign the said 10 pounds worth of land, and the said John shall not take penny, pennyworth or profit of the said land till the Expiry of said 4 years; And the said John shall make to the said Sir William a Letter of Tak of the said quarter of lands of Lynplum for the said term of 4 years, for the mail of 6 merks or a chalder of meall; And the said Sir William is bound not to claim the said house and castle of Morham with the said 3 acres, nor the third part of Morham called Lyndissais land, nor the 2 husband lands of Duncanlaw called Lathis lands and Pwnton's land nor the 12 merks of annual-rent which he claimed of the said Sir David's land "nor the pastour of the sowmes of Wyndan under the pain of 1000 pounds to the King, and 1000 pounds to the Archbishop's Kirkwerk of St. Andrews, and 1000 pounds to said John for his costs, to be paid in the Freir Kirk of Haddington on the high altar of the same, within 40 days after such claim be raised: And the said John binds himself when he is Lord of Yestir to infeft the said Sir William in the said quarter of Lynplum, and to discharge the said 20 shillings annual-rent of Wyndan, and give up the annual-rent of Hopprew. At Edinburgh 5th January 1473. Witnesses, Master Andro the Hay provost of the Bothanis, Wilzam the Hay of Mynzan, Thomas the Hay, Richarde Besat, Andro Geddes, John of Bykerton, James of Colylaw and Robert Marciale notary public. (*M.*)

Seal of said Sir William Hay of Tallo in poor condition.

174. 7th Janry. 1473/4. Reversion, in vernacular, by William the Hay of Tallo knycht to John the Hay of Olivercastell, son and heir of Sir David the Hay of Zestir knt, of an annual rent of 7 marks 6 sh. and 8 pence from John Hay's lands of Westir Hopprew, for infeftment to a quarter of Linplum, to be held of said Sir David in warde Releyf and mariage and thre soytis of courtis yerly, and quittance of an annualrent of 20 sh. from Sir William's lands of Wyndane: Edinburgh, 7 Janry. 1473: Witnesses, Mr. Androw Hay provost of the Bothanis, William the Hay of Mynzen, Thos. the Hay, Richard Besat, And. Geddes, John of Bikertoun, Jas. Colylaw, and Robert Marciale N.P. (*H.*)

Seal appended, in fair condition.

175. 15th May 1474. Paper Letter testimonial, in vernacular, by Robert Lord Fleming certifying, as required by the King's letters because he could not be present at the service of Jas. Hunter to the lands of Polmude, that Walter Hunter of Polmude up to the time of his decease held his lands of P. of the Baron of Olivercastle, ward and relief, and that the said lands had been in the hands of Fleming's gransser and fader from the decease of the father till the entry of the said Walter: Edinburgh, 15 May 1474. (*H.*)

Seal impressed on paper badly broken; but enough remains to shew that the supporters were two ladies in kirtles and steeple headdresses, and that the 2nd quarter of the shield bore 5 cinquefoils for Fraser.

Backed—Ane testificatioun that Polmude was haldin of my lord Zestir.

176. 16th July 1474. Charter by David Hay, Lord of Yestir, Knight, in favour of Alexander Lempetlaw, of that piece of land lying in the town and territory of Bothanis, which belonged to a man called Cosour, in the barony of Yestir, sheriffdom of Edinburgh and Constabulary of Haddington, on the west of the marches of the lands of Gamilstoun, on the one part, and on the north the common way on the other part, and on the south part a croft of the rector of Morham, which pertained to the Collegiate Church of Bothanis, commonly

called "le Staw" of the said rector; being 19 ells in length and 7 ells in breadth, with a rig of land lying within the lands of Gamyltoun, next the croft of the said rector. Holding in feuferm and heritage and paying therefore 6 shillings scots. At Bothanis 16th July 1474. Witnesses, Master Andrew Hay, provost of the Collegiate church of Bothanis, William Hay, Robert Hay, sons of the granter, Sir Nicolas Hay, Dungall Hay, George Penwen presbyters, John Bekirtoun, Robert Alexander and David Menzeis. (*M.*)

For greater security of this grant John Hay, son and heir apparent of the granter, appends his seal along with that of his father; the impressions of both are in good condition.

177. 21st Feb. 1474/5. Instrument narrating that Alex. Creichtoun, baillie of Edinburgh, at the request of John Redpeith, burgess of Edr., went to the land of said John lying on S. of the King's street within the tenement of Wm. Henry Swift between the land of Wm. Lamb on N. and land of Wm. Scheresmyth on S., the said tenement lying between tenement of um. Rob. Lamb on E. and tenement of Pat. Balburny on W.; and there the said J. R. made protest against a protest by Sir Walter Swift, chaplain, asserted tutor of John Edmonstoun, son and heir of um. Eliz. Swift, as contained in a schedule as follows; Lo ser bailze notar and witnesis her present that I her a nosyng and voice that ser Walter Swift chapellane a soun umquhill of Johnne Swift and bruthir til umquhill Henry Swift is cumyng her to this land of umquhill his bruthir douchtir and quhat at he hes doun her in maner of Interrupcioun as I am informit and seisyng brekyn (I wat?) nocht quhais land or be quhat Rycht I knawe nocht and gef that his Interrupcioun and seisyng brekyn mycht or ma turne me or (myn) ayris til ony preiudice in tyme to cum as it ma nocht do I protest it turne me na myn ayris to na preiudice in tyme to cum ony —— —— oun or ma do in tym to cum turne me na myn ayris in to na preiuduce as said is in tym to cum consideryng that I am in (peceabill) possessioun of my land be the commoun law of Scotland passit prescriptioun de terra fideliter empta tenta in pace per d—— a—— And of this notar I aske zow ane Instrument and this bill to be put in it word be word as is her wryttyn and I besek yhow ser bailze that ze walde wychesaffe to yhour seille to the Instrument in mar evident witness of my protestatioun makyn: Done in the close of the said tenement, 11 a.m., 21 Feb. 1474: Witnesses, Jas. Empffelde, John Gray, John Folcart, And. Makgy, Jas. Zong, and Jas. Harcass, serjeant: Alex. Michaelson, N.P. (*H.*)

Baillie's seal is gone, tag left.

178. 6th July 1475. Transumpt by way of instrument of No. 61 made before John Aytoun, senior, and John Hepburn, baillies of Haddington, sitting in judgement in the Tolbooth thereof, at the instance of Wm. Hay of Meynzene, esquire, 11 a.m., 6 July 1475: Witnesses, Wm. Haliburtoun, Rob. Haliburtoun, Rob. Grynlaw, John Wouf, John Aytoun junior, and John Mandyrstoun, burgesses of said burgh, and Sirs Wm. Haliburtoun and John Farbarne, chaplains: John de Haliburtoun, priest S. And. dio., N.P., I.a. (*H.*)

Seals of the baillies appended, in fair condition.

179. 16th Aug. 1476. Dispensation Bull by Pope Sixtus IV. to Andrew Hay, Provost of the Collegiate Church of Bothanis in the diocese of St. Andrews, to hold with it another incompatible benefice with all the fruits and emoluments thereof. Dated 17th Kalends of September (16th August) 1476. (*M. and H.*)

180. 21st April 1477. Precept under the testimonial of the Great Seal to the Sheriff and bailies of Peebles to compear on Thursday 3 July before the Court of Exchequer to be held at Edinburgh, Wednesday 25th June next, to

render their accounts of all fermes, rents, &c., since the time of the last account rendered of their office. At Edinburgh 21st April, 17th year of Reign of King James III. (No. seal.) 1477. (*M. and H.*)

181. 10th Janry. 1477/8. Instrument by Peter Bogart Dean of St. Donatus of Bruges in the diocese of Tournay having Commission from Pope Sixtus IVth as Judge and Commissary, specially deputed by the said Pope to the provosts, deans, curates, &c., constituted by the city and diocese of St. Andrews ; in obedience to letters of absolution, in the form of breves by the said Pope, from excommunication and other church censures in favour of Sir Andrew Hay principal provost of Bothanis in the diocese of St. Andrews, to which he had been subjected for non payment of six ducats due to Ceccholi of Picchis citizens and merchants of the City of Rome. The Breve bears to be obtained on the Mandate of Thomas Bartholi, merchant of Florence. Dated at Rome at St. Peters under the fisher's ring 10th January 1477. Instrument dated 1478, James Vand Borcht notary. (*M.*)

Seal gone.

182. 31st March 1478. Precept of Sasine by Matthew Huntar, burgess of Peebles direct to Stephen Derlyng, Pat. Dicisoun, and Gilbert Williamsoun, burgesses of Peebles, for his son and heir Gilbert Huntar of all his lands called "a merkis wortht" of the Farnehauch, the Bordalhauch, and Le Flerris, in the barony of Glene, and shire of Peebles, to be held in feefirme of Rob. Conyng and Isabella his spouse of Glen (*sic*) : Caldestreme 31 March 1478. (*H.*)

Seal of H. appended, in fair condition.

183. 3rd April 1478. Precept of Sasine by Sir David de Hay of Zestir, knt. direct to Archd. Lyil, his baillie in Morhame, for his son and heir John Hay of a cotland in the barony of Morhame, constabulary of Haddington and shire of Edinburgh : Zestir, 3 April 1478. (*H.*)

Seal of Sir D. H., in bad condition, and fragment of Lyil's seal appended.

184. 18th May 1478. Instrument of Sasine by Gilbert Wilzamsoun following on No. 182 : Done in said lands 1 p.m. 18 May 1478 : Witnesses, Geo. Davisoun, Jas. Zoung, and Jas. Davisoun : Andrew Zoung, priest Glasg. dio., N.P. I. and R.a. (*H.*)

185. 2nd Sept. 1478. Commission under the Testimonal of the Great Seal ordaining William Lord Borthwik, sheriff of Peblis *in hac parte*, to execute the breves of inquest of our chapel impetrat by John Hay by the death of the late David Hay of Yestir, Knight, upon the lands annual-rents and offices of the said late David to the said John in the said Sheriffdom of Peblis. Dated at Edinburgh 2nd September the 19 year of the reign of King James III. 1478. (*M.*)

186. 6th Oct. 1478. Retour of Inquest held in Tolbooth of Edinburgh, 6 Oct. 1478, before John Hadene of Glenegass by the following jurors, Archd. Dundas of that Ilk knt., John Newtoune of that Ilk, Alex. Hammiltoune of Bathkate, John Stewart of Cragyhall, Geo. Cunyngham of Beltoune, Archd. Douglas, Alex. Stratoune of Lowranstoune, John Crechtoune of Burnestoune, John Lowranstoune of that Ilk, Alexr. Damephoy (*sic*) of that Ilk, John Ramsay of Cullathy, Alex. Stetoun (*sic*) of Parbroith, and Richard Congiltoun of that Ilk, finding John Hay heir of his father Sir David Hay of Zestir knt. in the barony of Lochorwart, the half of the baronies of Zestir and Duncanlaw,

the two parts of the barony of Morhame, half of the lands of Moskowe, lands of Ugstoun, and a quarter of the lands of Blanis all lying in the shire of Edinburgh; that Lochorworth is worth £20 per an., Zestir £20 : 10s., Duncanlaw 14 marks and 40d., Morhame 20 marks, Moskowe 20s., Ugstoun 10 marks, and Blanis 10s. ; and that the baronies of Lochorwart, Duncanlaw, and Morhame are held in chief of the King by Ward and Relief and common suits, Ugstoun in blanchefirme of the King for three broad arrows to be given him when hunting on Glademure, Blanis for a similar Reddendo of two broad arrows, in whose hands they have been since the death of Sir David about two months before, and Moskowe of the baron of Bolton for service as in No. 99. (*H.*)

Parchment torn and seals all gone.

187. 14th Oct. 1478. Retour of Inquest made at Lanark before Pat. de Cleland, sheriff depute of James Lord Hamilton sheriff of Lanark, 14 Oct. 1478 by the following jurors, John de Carmichel of that Ilk, John Grahame of Vesthale, Walter Scot of Vester Nynflar, John Bourhil of that Ilk, Adam Wer, Thos. Haste, Wm. Synkcler, Henry Grahame, Rob. Wer, Roger Brown, John Pomfret, Wm. Dekesoun, Martin Bayrd, Thos. Wer, Wm. Dekesoun and Pat. Gyrmar, finding John Hay heir of his father David Hay of Zester knt., who died about 2 months before, in the 6th part of Thankartoun and the mill thereof, worth £6 per an., held of the King for payment of one penny at the Feast of S. John Baptist in name of blanch firme ; the 6th part of Nethertoun of Strathaven and one eighth of the mill, worth £3 : 10. sh. per an. ; and an annual rent of 5sh. from Glengevil in the barony of Strathaven, held of the King by ward and relief. (*H.*)

Seals of Walter Scot and John Grahame still appended, in bad condition.

188. 15th Oct. 1478. Retour of Inquest held at Peebles, 15 Oct. 1478, before Wm. Lord Borthwyk, Sheriff of Peebles specially depute, by the following jurors, Sir Wm. Borthwyk son and heir of the said Lord B., Walter Twedy of Drummelzor, Thos. Lowis of Menner, Wm. Broune of Hartre, John Govane of Cardono, Thos. Dykysoune of Ormystoune, Jas. Twedy, Alex. Horsbruke of that Ilk, Chas. Geddes, Gav. Barde of Posso, John Dykysoune of Smythtfeld, Mat. Glendunwyn of Glenroth, Wm. Geddes, Symon Fresell, Wm. Dykysoune, and Thos. Bychate of Chapelhill, finding John Hay heir to his father Sir David Hay of Zestyr knt., who died about 2 months before, in the barony of Olivercastell, worth £50 per an., the barony of Lyne and Hoprew, worth £38 per an., the lands of Jedwartfeld worth £5 per an., and the office of Sheriff of Peebles, worth £10 per an., the said baronies being held in chief of the King by Ward, relief, and common suits, and the lands of Jedwartfeld with the office of Sheriff of the King in chief by blanche firme, paying one silver penny at the Feast of S. Andrew the Apostle. (*H.*)

The seal of Sir W. B. and four others still appended.

189. 15th Oct. 1478. Retour of Inquest at Alanetoune in the Regality of Athcarmure, 15 Oct. 1478, before Alex. Lindissay of Dunrode, baillie of the Abbot of Arbroath specially depute, by the following jurors, Sir John Maxuel of Calderwod, John Bowrhyll of that Ilk, John Stewynstoun of that Ilk, Gawan Maxuel, Thos. Inglis of Murzowstoune, Alex. Balze of Carfin, Harbert Nesbit of Dalzeill, Wm. Knellande of that Ilk, John Balze, Jas. Inglis, Rob. Hart of Cryngildykis, David Maxuell, Alex. Lindissay, Thos. Quhytlaw, Alex. Malvill, David Hennyrsoun, Wm. Russell, John Nesbit of Rawynscrag, and Patrick Clelande, finding John Hay heir to his father um. Sir David Hay of Zestir knt. in the lands of Athkermure held in chief of the Abbot of Arbroath, in whose hands they had been for 2 months since the death of Sir D. (*H.*)

Four seals still appended, none in good condition.

190. 17th Oct. 1478. Instrument of sasine by John Crosar, baillie specially appointed by John Aldane, sheriff, following on and narrating a Precept of Sasine from Chancery, dated Edinburgh 9 Oct. a.r. 19 (1478) addressed to the sheriff of Edr. and his baillies following on Retour of John Hay as heir of his father Sir David Hay of Zester in the barony of Lochorwart, relief £20 ; half barony of Zester, relief £20: 10s.; half barony of Duncanlaw, relief 14 marks 40d.; two parts of barony of Morhame, relief 20 marks : lands of Ugystoun and a quarter of Blance, duplication of blanch firme 10 broad arrows ; of all the above subjects except Lochorwart : Done 9, 10, and 11 a.m. 17 Oct. 1478 : Witnesses, Geo. Ker of Samelstoun, Wm. Ker, Mr. Andrew Hay provost of the College Kirk of Bothanys, Wm. Hay brother german of the said John Hay, Wm. Hay of Mynzham, Wm. Makdowale, David Dalrymple, Archd. Lile, Alex. Morhame, Archd. Flemyng, Andrew Cunyghame, Wm. Dalrymple, and Nycholas Rychartsoun : Rob. Aytoun, priest S. And. dio., N.P. I. and R.a. (*H.*)

Seal of John Crosar appended in fair condition.

191. 3rd Nov. 1478. Charter by Alexander, Duke of Albany, Earl of March, Lord of Annandale and Man, Great Admiral of Scotland, and Guardian of the East and West Marches, to George de Cunyghame of Beltoune of the lands of Beltoune in the barony of Dunbar, resigned by the said George at the granter's castle of Louchmaben, in favour of himself and the heirs male of his body, whom failing Elizabeth Cunyghame daughter of said Geo., whom failing John Hay second-born son of John Hay of Olyvercastell, born of the sd. John and the sd. Elizabeth C. his spouse, and the heirs male of his body, whom failing William Hay his brother german and the heirs etc., whom failing the next son born or to be born of the sd. J. H. of Olyvercastell and his wife Elizabeth and the heirs etc. ; under the condition that the son of John Hay succeeding to Beltone is to change his name before Parliament and take the name and arms of Cunyghame ; and, if he shall fail to do this, then the lands of B. are to go to the nearest heir male of the sd. Geo. C. bearing the name and arms of Cunyghame : Dated at the granter's Castle of Dunbar, 3 Nov. 1478 : Witnesses, Alex. Home of that Ilk, and James Lyddale of Halkarstone, knights, Mr. Martin Wan, Chancellor of Glasgow, Malcolm Drummont, rector of Dunbar, David Home of Spot, David Rantone of Bylly, Adam Edgar of Weddle, John Ellame of Butterdene, Jas. Ogle of Pople, Adam de Moray, John Lyddale, Geo. Roule, John Roule, and Wm. Browne. (*H.*)

Seal of the Duke appended, in good condition.

191A. 4th Nov. 1478. A saising of Jhon lo : hay of Zester in the landis of Loquharret as aire to his father Sr. David geven be peter marche notaire 4 novemb. 1478. *No.* 8, 1622 *Locharret Inventory.* (*H.*)

192. 4th Nov. 1478. Precept of Sasine by George, Abbot of Arbroath, following on Retour (No. 189) direct to John Lindesay of Dunrode and John Hammyltoun : Dated at Arbroath 4 Nov. 1478 under his seal of office. (*H.*)

Seal gone, leaving vesica-shaped mark on paper.

193. 5th Nov. 1478. Precept of Sasine by Alexander, Duke of Albany, following on No. 191 to Sir Archd. Hamilton of Innerwik knt., David Rantoune of Billy, and Simon Salmon, his Stewards of March : Castle of Dunbar, 5 Nov. 1478. (*H.*)

Fragments of his seal in an old twisted piece of paper tied to the tag.

194. 7th Nov. 1478. Testimonial of Sasine by Sir Archd. Hamilton of Innervic knt., Steward of the earldom of March, following on No. 193 : Done at the head messuage of Belton 7 Nov. 1478 : Witnesses, Pat. Ruthirfurd, Jas.

Sinclar, John Cottis, Geo. Wolf, Columba de Dunbar, esquires, Sir Wm. Cunynghame, Sir John Gibsone and Sir Wm. Gibsone, chaplains. (*H.*)

Seal of Sir A. H. appended, in fair condition.

195. 7th Nov. 1478. A duplicate of the foregoing. A fragment of seal of Sir Arcd. Hamilton is appended. (*H.*)

196. 15th Nov. 1478 Testimonial of Sasine by John Hammyltoune following on No. 192 : Done at Athcarmure, 15 Nov. 1478 : Witnesses, Wm. Hay of Menzane and Symon Geddass. (*H.*)

Seal of Charles Geddass of Rauchane appended, in fair condition, in absence of J. H.'s own seal.

197. 16th Feb. 1480/1. Retour of John Synclar as lawful and nearest heir of the late William Sinclar his father, who died 4 months before, in the lands of Hirdmanstoun, lying in the Constabulary of Hadington and shire of Edinburgh, and the lands of Carfra in the shire of Berwic : Inquest held at Edinburgh 16th February 1480 ; before John Stewart of Cragyhall and David Crechtoun of Cranstoun, sheriffs of Edinburgh and Berwik specially constitute, by the following persons of Inquest, Patrick Knollis of that Ilk, William Douglas of Quhitingham, Knight, Peter of Nesbitt, Patrick Sleich of Cumlech, Adam Nesbet of that Ilk, James Spens of Hardanis, Laurence Hatlee, Gilbert Lawder, Robert Franch of Thornydykis, Thomas of Borthwik, George of Nesbet, John Bowmakare, Patrick Diksoun, Robert Sleich, Alexander Cokburn of Newhall, Thomas Fawsyde of that Ilk, James Heriot, Alexander Lawder and Archibald of Manderstoun. (Recorded Edinburgh 15th March 1656 in the Books of Exchequer.) (*M. and H.*)

The seals of John Bowmaker, and other two of the Inquest remain, and tags showing that other eight seals were appended.

198. 4th March 1481/2. Instrument taken by John Hay of Yestir that he passed to the Castle of Creichtone, and there in presence of Dame Marion Lady of Creychtone, warned William her spouse, or keeper of the said place, to have compeared in the parish Church of Creychtone, on the 10th of April next, with letters and Evidents that um. Sir David Hay, Knight, father of the foresaid John Hay had made wadset or Assignation of the lands of Loucquorwart to the late William Lord Crechtone ; and to receive the sum of 78 merks of the residue of the greater sum, as contained in reversion thereof. Dated 4th March 1481, at the upper gate of the town of Crechtoune, 9 a.m. : Witnesses, Master Andrew Hay, Provost of the Collegiate Church of Bothanis, William Hay, brother german of the foresaid John Hay, John Dekys, Andrew Lowis, Sir Thomas Laws, Sir William James, Chaplains : John Hay, chaplain of the diocese of Glasgow, is notary. (*M. and H.*)

199. 3rd April 1482. Charter by Gilbert Huntar, burgess of Edinburgh, to Martin Balcasky, burgess in Peebles, of his markland in the Farnehaicht, the Fluris, and the Bordalhalche, in the barony of Glene and shire of Peebles : To be held in fee and heritage of the granter, Paying 12 pence yearly to the superior, the baron of Glene, and a red rose at the Feast of the Nativity of S. John Baptist to the granter and his heirs in name of blanchefirme if asked : Edinburgh, 3 April 1482 : Witnesses, Walter Blakloke, John Craike, John Androsoune, John Penderlaicht, John Gibsoune, and Jas. Stanely. (*H.*)

200. 6th April 1482. Instrument of Sasine by John Craik, burgess of Peebles, following on and narrating a Precept of Sasine, dated Edinburgh, April 1482, direct to John Dikisoune, Wm. Dikysoune, and John Craik, lowing on Charter No. 199 : Done at Fluris, 9 a.m., 6 April 1482 : Witnesses,

Herbert Twedy, John Madur, Thos. Caverhill of the Foulege, Rob. Foster, and Thos. Folkart : John Hay, priest, Glasg. dio., N.P. I. and R.a. (*H.*)

201. 4th May 1482. Charter by George Cunnynghame of Beltoun to John Hay, second born son of John Hay of Zeister, begot between him and his spouse Elizabeth C. the granter's daughter, of all the lands of his barony of Snade in the shire of Dumfries : To be held of the King in fee rendering therefor service used and wont, reserving the liferent to the said George and a reasonable terce to his wife Elizabeth : Beltoun, 4 May 1482 : Witnesses, John Hay of Zeister, Mr. Andrew Hay, provost of Bothanis, Sir Wm. Cunnynghame the granter's brother, Archd. Dunbar, Colin Dunbar, Jas. Sinclare, and Wm. Dalrumpill, Sirs John Gybsoun and Rob. Aytoune, chaplains. (*H.*)

Seal of G. C. appended, in good condition.

202. 7th May 1482. Charter by Thomas Moffat of Prestisbuttis in favour of Sir Nicholas Hay, prebendary of the Collegiate Church of Bothanis, of an annual-rent of four merks out of the lands of the late Thomas Newtoun, with pertinents, lying in the town of Newtoun, in the west end and on the north part thereof, within the Constabulary of Haddington and shire of Edinburgh, for a certain sum of money paid to me in my urgent necessity by the said Sir Nicholas : Holding to the said Sir Nicholas and his heirs and assignees of the heirs of the late Thomas Newtoun in fee and heritage until the heirs of the said Thomas Newtoun shall pay to the said Sir Nicholas his heirs and assignees the sum of forty pounds scots, one day between the rising and the setting of the sun in the church of the Friars Preachers of Hadyntoun upon the altar of the Holyrood of Lucanus : Paying yearly to the heirs of the said Thomas Newtoun one red rose at the feast of the nativity of St. John the Baptist in name of blench ferme if asked ; At the College of Bothanis 7th May 1482. Witnesses, Master Andrew Hay, Provost of the said College, Sirs Richard Knollis, James Lempatlaw, George Pennen, chaplains, and George Lermunt notary public. (*M.*)

Seal of granter in bad condition.

203. 12th May 1482. Precept by Geo. Cunnynghame of Beltoune and lord of Snade to Philip Cunnynghame, Adam Gordoune, and John Cottis following on No. 201 : Beltoune, 12 May 1482. (*H.*)

Fragment of seal appended.

204. 21st May 1482. Obligation, in vernacular, by George of Cunnyngame of Beltoune in favour of John the Hay, second son of John the Hay of Zeister, narrating that whereas G. C. had given the sd. J. H. a charter of his lands of the barony of Snaid in the Sereffdome of Nydysdail as he was bound to do in terms of the marriage contract between J. H., of Zeister and Elizabeth C. his daughter, he now obliges himself and his heirs of tailzie to pay the sum of 1200 marks to J. H. should the said lands not pass to him, and further, in case of failure, to pay a penalty to the King of 1000 marks, to the metropolitaine kyrkwerk of Sanctandrois, 600 mks., and to John Hay and his heirs 400 marks of costs ; All to be paid from his lands of West Barns near Crail, the qwhylkis are talzet : Beltoune, 21 May 1482 : Witnesses, John the Hay of Zeister, Mr. Andro the Hay, provost of the Bothanis, Jas. Sinclare, Wm. of Dalrumpill, Sir Wm. of Cunnyngame, and Sir Robert Aytoun, N.P. (*H.*)

Seal of G. C. appended, in good condition.

204A. 5th June 1482. Ane infeftment and foundatioun maid be George cunninghame of beltoun of a chepplaine in the Kirk of Carrell of the daitt the 5 of Junii 1482, and a dottation thairto out the Landis of westbarnis. *No.* 26, 1619 *Belton Inventory.* (*H.*)

205. 5th June 1482. Assignation, in vernacular, by George Cunynghame of Beltone to John the Haye secwnd sonne and get of John the Haye of Zestyr, and failing him William his brother, whom failing George their brother german of the sum of 1000 marks due by the said John the Haye of Zestyr in terms of his obligations (see No. 142) to be paid by him if he does not, after George's death, with full consent of Elizabeth the granter's daughter, cause the said John etc. to brouk the lands of Belton and change the surname and arms of Hay to those of Cunynghame: Belton, 5 June 1482. (*H.*)

Seal appended, in fair condition.

206. 7th June 1482. Letter of presentation by George Cunynghame of Beltoune to William Archbishop of S. Andrews in favour of his brother Sir Wm. Cunynghame, priest, for collation to the Chaplainry of the Altar of S. Mary in the Parish Kirk of Crail, founded by the said G. C.: Belton 7 June 1482. (*H.*)

Seal appended, slightly broken.

207. 17th June 1482. Confirmation under the Great Seal by James III. of No. 201: Edinburgh, 17 June 1482: Witnesses, Wm. Archbishop of S. Andrews, John Bishop of Glasgow, Jas. Bishop of Dunkeld, Andrew Lord Avandale the Chancellor, Colin Earl of Ergile, Lord Campbell and Lorne, Master of the Household, David Earl of Craufurde, and Lord Lindesay, John Lord Carlile, Masters Archd. Quhitelaw Archdeacon of Lothian the Secretary, and Alex. Inglis Archdeacon of S. Andrews clerk of Rolls and Register. (*H.*)

Great Seal appended, about three-quarters whole and much defaced. (*Cf.* Reg. Mag. Sig. II. 1514.)

208. 3rd Sept. 1482. Precept from the King accepting John Hay, Thomas Lowis, Alexander Spens, Alexander Cunynghame, Thomas Hay, Adam Gordon, William Hay, Robert Scot, Andrew Lowis, James Scot and Master Andrew Hay or any of them, as attorney or attornies of Elizabeth Cunynghame spouse of John Hay of Yester, to appear in all negotiations, speeches, suits and quarrels moved or to be moved by the said Elizabeth. At Stirling 3rd September 23rd year of the Reign of King James III. 1482. (*M. and H.*)

209. 9th Nov. 1482. Testimonial of Sasine, in vernacular, by Alex. Dunlop baillie of Cunynghame to Wm. Vilsoune attornay for Eliz. Cunynghame following on and narrating a Precept of Sasine from Chancery dated Edinburgh, 5 Nov. a.r. 23 following on retour of Eliz. Cunynghame as heir to her father George Cunynghame of Beltoune in the lands of Akhed, Ayrshire, and addressed to the Sheriff of Ayr and his baillies, security to be taken for two pairs of white gloves for the duplication of blanchefirme: Done on the chemes of Akhede, 9 Nov. 1482: Witnesses, Wm. Benyng, John Gothrasoune, John Hall, Andrew Dunlop, and Master Patrick Cunyngham. (*H.*)

Dunlop's seal appended, illegible.

210. 21st Janry. 1482/3. Grant under the Great Seal by James III. to Sir Baldred Blakadir of the Ward of the lands of Westbarnys, Fifeshire, and lands of Snayde, Dumfriesshire, in king's hands through the death of Geo. Cunynghame of Beltoune; also the marriage of John de Cunynghame, son and heir of um. Nigel C. brother of the said George, and heir of tailzie of his uncle the said George in the foresaid lands, and, John deceasing unmarried, that of Michael de Cunynghame his brother german: Edinburgh, 21 Janry. 1482. (*H.*)

Great Seal appended, entire but defaced, by a strip slit lengthwise from the parchment. (Not in Reg. Mag. Sig.)

211. 22nd March 1482/3. Instrument on the Relaxation of the lands of Braidzardis, in the town and territory of Dunkenlaw, by Rob. Dewar, indweller in Dunkenlaw, from the superior of the barony of D., John Hay of Zester, in whose hands they were by recognition ; and their Resignation to J. H. of Z. by Dewar, reserving liferent and terce to his wife : Done in the Chapel of the Castle of Zester, 9 a.m., 22 March 1482 : Witnesses, Thos. Lowis of Mennar ; Mr. Andrew Hay, provost of Bothanis ; Wm. Hay ; Richard Besat ; Jas. Sinclair ; Thos. Cunyngnam ; And Lowis : Sir Wm. Tothryk, chaplain ; Wm. Dalrimpill ; Dav. Murray, and Jas. Masoune : John Hay, priest Glasg. dio., N.P. I. and R.a. (*H.*)

212. 10th Oct. 1483. Retour of Inquest in the Tolbooth of Edinburgh, 10 Oct. 1483, before Gilbert Johnestoune of Elphinstoune knight, Sheriff of Edinburgh in the Constabulary of Haddington, and Jas. Douglas of Raufburne, sheriff depute, by the following jurors, John Swyntoune of that Ilk, and Edward Congiltoune, knights, Thos. Wawane of Steinstoune, John Quhitlaw of that Ilk, Wm. Hoge of Wigoronshalch, Simon Quhitlaw, Richard Quhitlaw, Henry Hepburne of Fortoune, John Swyntoune, Wm. Hepburne of Elstanefurd, Dougall Makdowal of Makcarstoune, Thos. Crage of Est Crage, Pat. Cokburne, Thos. Borthwic, and John Redpeth, finding Elizabeth Cunnunghame heir to her father George C. of Belton, who died about 14 months before, in the lands of Beltoun and Kilpallet in the earldom of March and constabulary of Haddington, worth 40 marks per an., and held of the Earl of March by ward relief and common suits of courts. (*H.*)

Three seals still appended.

213. 20th May 1485. Instrument of Sasine by John Hepburn, Sheriff of Edinburgh in the Constabulary of Haddington specially depute, to Thos. Neisch, burgess of Edinburgh, attornay for Walter Bertrame, burgess of Edr., following on and narrating a Precept of Sasine from Chancery, dated Edr., 16 May a.r. 25, to the Sheriff of Edinburgh and his baillies within the constab. of H. following on Retour of Walter Bertrame as heir to his father George B. in two acres of arrable land near the burgh of Haddington on the North side thereof, between the land of John Aytoun and the land of Harperfeld, directing security to be taken for two silver pennies for the duplication of the blanchefirme : Done 11 a.m., 20 May 1485 : Witnesses, John Aytoun, John Hugowne, Arthur Saware, and John Thomsoun, burgesses of H. , and John Crosar royal serjeant : Robert Aytoun, notary. (*H.*)

Seal of J. Hepburn appended, in bad condition.

214. 24th Oct. 1485. Instrument of Sasine proceeding on a Precept from Alexander (Archibald?) Hamiltone of Innerwyk, Knight, as tutor dative constitute by the King to John Newtoune, directed to David Hamilton, John Hathwe and John of Dunlop his bailies, for infefting Sir Nicholas Hay prebendary of the Collegiate Church of Bothans in an annual-rent of four merks, to be taken furth of the lands of the late Thomas Newtone, with pertinents lying in the west end of the town of Newtone on the north part thereof, within the Constabulary of Hadyntone and Sheriffdom of Edinburgh, on resignation by Master Andrew Hay, Provost of the Collegiate Church of Bothanis, as procurator for Thomas Moffat of Prestisbuttis, in the hands of said Archibald Hamilton as superior, at the Castle of Innerwik : Precept dated at Innerwik 21st October 1485 : Instrument dated 24th October 1485 : Witnesses. Thomas Newtone, John Quhyppo, Henry Tod, Sirs James Lempatlaw, John Trottar, Nicholas de Dunbar chaplains : John Hay presbyter of the diocese of Glasgow is notary. (*M.*)

215. 1st May 1486. Instrument of Resignation by Walter Bertrame of an annual-rent of twenty shillings furth of his tenement of land with the pertinents

lying in the burgh of Hadyngtone, on the west part of the Hardgate, between the land of the late Robert Myll on the north, and the land of Thomas Brown on the south, to John Hepburn baillie of H. in favour of himself and Elizabeth his spouse heritably and in conjunct infeftment; and reserving the front gate of the fore part of the said tenement with free ish and entry to the inner part of the said tenement. Dated 1st May 1486. Witnesses, Master William Patonson vicar of Boltoun, Sirs William Halyburton and Thomas Hyltsoun chaplains, Patrick Lauson, Thomas Lytster, Thomas Neysche, Patrick Hoy, William Johnson, John Johnsoun, John Jedworth, John Thomsoun, Walter Thomeson burgesses, John Huggon, Arthur Sawar, and James Duncane, serjeants of the said burgh. Robert Aytoun presbyter of the diocese of St. Andrews, is notary. (*M. and H.*)

216. 17th July 1486. Instrument of Sasine by John Hepburn, baillie of Haddington, to Pat. Lausone, burgess of H., attornay of Walter Bertrame of Edr. following on and narrating a Precept of Sasine (following on Retour of Walter Bertrame to his father as before, see No. 213) in a tenement of land between the land of —— and land of John Mudy on S.: Done (11 a.m.) 17 July 1486: Witnesses, Thos. Neisch, Stephan Lausone, John —— and Sir Wm. Scleich priest N.P., and John Hugg(owne) Rob. Aytoun, notary. (*H.*)

Parchment badly torn, parts missing and parts illegible.

217. 6th Aug. 1486. Instrument of Sasine by John Hay of Zestir to John Dykesoune and Cristian his spouse of the third part of the lands of Wxtoune, inhabited by Wm. Quhyntyn and Richard Quhyntyn, under Redemption in terms of the charter and letter of obligation: Done at Wxtoun 9 a.m. 6 Aug. 1486: Witnesses, Wm. Newtoun of that Ilk, Wm. Dalrumpill, Jas. Sinclare, Thos. Hay, Rob. Mennaris, Thos. Mandirstoune, Nicholas Quhyntyn, and John Arnald: Rob. Aytoun, priest S. And. dio., N.P. I. and R.a. (*H.*)

218. 14th Dec. 1486. Instrument of Sasine by John Boncle, baillie of Edinburgh, on the resignation by Wm. Anderson of an annualrent of 40s. from his land, between the land of um. Thos. Ednaham on S and the House of um. Pat. de Balbyrny on the N, lying in the west part of the tenement of said P. de B. within the burgh of Edr., at the Netherbow thereof, and on the S. side of the King's street, between the land of um. Alex. Turnyng and John Redpeth on E, and land of Alex. Fothringhame on W, in favour of his two sons, one half to Laurence and the heirs of his body whom failing to his brother William etc., and the other half to the said William etc. whom failing to Laurence etc., all whom failing to the heirs of William senior. Reserving the right to William senior of selling the said annualrent if necessary: Done 10 a.m., 14 Dec. 1486. Witnesses, John Tuedy: Wm. Farnly, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of Boncle appended, perfect.

219. 22nd March 1486/7. Precept by Elizabeth Cunyghame Lady of Beltoune and spouse of John Hay of Zestir, direct to Richard Byssat her bailie with consent of her said spouse, for infefting Sir John Lumysden chaplain, in her two mills of Beltoune and the residue of an annual-rent of her lands of Beltoun to the value of £10 yearly. At Zestir 22nd March 1486. (*M.*)

Seal gone.

220. 24th March 1486/7. Charter by Elizabeth Cunyngahame, wife of John Hay of Zestir, with his consent, to her second-born (*sic*) son John Hay of all her lands of Beltoune and Gilpallet in the earldom of March, barony of Dunbar, and constab. of Haddington within the shire of Edr., Reserving the life-

rent to herself and her husband: Edinburgh, 24 March 1486: Witnesses, Mr. Andrew Hay Provost of Bothanis, Thomas Hay first-born son of the said lord of Zestir her spouse, James Synclar, Wm. Hay, John Murray of Blakbaronry, Wm. Hay of Menzene, Wm. Dalrimpill, and Thos. Cunyngahame. (*H.*)

Seals of Eliz. C. and John Hay, who still uses the seal he had as fear of Zester, appended, in fair condition.

221. 24th March 1486/7. Instrument at the instance of John Hay junior, by three Notaries, narrating that a noble lady Elizabeth Cunyngahame, spouse of John Hay of Zestir, compeared before Mr. Wm. Foular, canon of Dunkeld, Commissary of the Official of S. Andrews in the Archdeaconry of Lothian, and swore upon the Holy Evangels, her husband being removed, that she had granted of her own free will her second (*sic*) son John Hay a charter of her lands of Belton and Gilpallet: Done in the court of said Commissary held in the Consistory House of the College Kirk of S. Giles Edinburgh, 11 a.m., 24 March, 1486: Witnesses, Rob. Charteris of Amysfeld, Masters and Sirs John Quhitlaw rector of Pennycuk, Wm. Halcarstoune, David Boyis, Rob. Craik, John Lokhert, John Wilsoune, chaplains and notaries public: Notaries, Geo. Newtoune, clerk Glasg. dio., N.P. I. and R.a., and clerk and tabellion of said court; James Young, clerk S. And. dio., N.P. I. and R.a.; and Peter Marche, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of office of the Official of Lothian appended, in good condition.

222. 24th March 1486/7. Instrument at the instance of Eliz. Cunyngahame, narrating that in presence of Mr. Wm. Foular, rector of Curre, Commissary of the Official of S. Andrews in the Archdeaconry of Lothian, sitting in judgement in the Consistory House of the College Kirk of S. Giles Edinburgh, there compeared an honourable lady Elizabeth Cunyngaham, spouse of John Hay of Zestir, holding in her hands a charter made by her in favour of her second (*sic*) son John Hay (No. 220) and gave it to the notary to copy and embody in the present instrument: Done 11 a.m., 24 March 1486: Witnesses, Rob. Charteris of Amisfeld, Edw. Creichtoun of Kirkpatrik, Masters John Quhitlaw, David Boyis, John Lokhart, Rob. Craik, Chaplains, Wm. Halcarstoune, Peter Marche, Geo. Newtoune, clerks, and Sir John Wilsoune, chaplain, notaries public: Jas. Zoung notary. (*H.*)

223. 26th March 1487. Precept of Sasine by Eliz. Cunyngaham, wife of John Hay of Zestir, to Richard Bissat, Thos. Cunyngaham, Andrew Lowis, and Jas. Sinclair, following on No. 220: Edinburgh, 26 March 1487. (*H.*)

Seals of E. C. and her husband appended as in No. 220.

224. 28th March 1487. Confirmation under the Great Seal by James III. of No. 220: Edinburgh, 28 March *1486* (should be 1487): Witnesses, Wm. Bishop of Aberdeen, Colin Earl of Ergile Lord Campbell and Lorne, and Chancellor; David Earl of Crawfurd Lord Lindesay, and Chamberlain; Andrew Lord Avanedale; Wm. Lord Borthwic, Master of the Household: John Lord Carlill; Masters David Levingstoune Rector of Are, Keeper of the Privy Seal; Archd. Quhitlaw Archdeacon of Lothian, Secretary; and Sir Alex. Scot Rector of Wigtoune, Clerk of Rolls and Register. (*H.*)

Great Seal appended three quarters whole, defaced. (Not in Reg. Mag. Sig.)

225. 6th April 1487. Instrument of Sasine following on No. 223 by Richard Bisat: Done at the instance of Edward Creychtoune, 10 a.m. at Belton 6 April 1487: Witnesses, Rob. Creychtoune, Cuthbert Creychtoune, And. Louss, John Quhippo, Duncan Huntter, Jas. Dischintoune, Geo. Smyth, and Sir Wm. Conyngham chaplain: John Hay notary. (*H.*)

226. 23rd Oct. 1487. Precept from Chancery direct to John Lord Hay of Yestir as baron of Lochorwort and superior of the lands under written for infefting Adam Wauchop as lawful and nearest heir of the late Gilbert Wauchop of Nudrymerscheall his father, procreated lawfully between him and the late Jonet Ker ; in the lands of Estir Caikmure with pertinents, lying in the barony of Locherwort and sheriffdom of Edinburgh ; To be held of the said baron in chief. At Edinburgh 23rd October 28th year of the Reign of King James III. 1487. (*M.*)

No seal.

226A. 29th Jany. 1487/8. In Parliamento Excellentissimi Principis Et Domini nostri Domini Jacobi Tertii Dei gracia Scotorum regis illustrissimi Tento et inchoato Apud Edinburgum—vicesimo nono die mensis Januarii Anno Domini Millesimo Quadringesimo octuagesimo Septimo Et regni prefati Serenissimi Domini Nostri regis Anno vicesimo octano Quo die Supremus Dominus noster Rex personaliter fuit cum Dominis prelatis comitibus baronibus liberetenentibus et burgorum commissariis subscriptis etc. Et eodem die Acta et statuta subscripta promulgata et perlecta fuerunt et per dictum Serenissimum Dominum Nostrum regem solemniter approbata et confirmata Dicto vicesimo nono die Joannes hay de Zester facta fuit Dominus Parliamenti Et in futurum nominandus Dominus hay de Zester Extractum de libro actorum Parliamenti permeDominum Joannem Skene de Curriehill militem clericum rotulorum Registri ac consilii Serenissimi Domini Nostri regis Sub meis signo et Subscriptione mannualibus. Joannes Skene, Cli Regri. etc.

No sign.

TRANSLATION.

In the Parliament of our most excellent Prince and Lord, James the Third, by the grace of God most illustrious King of Scots, held and convened in Edinburgh on the twenty-ninth day of the month of January in the year of (our) Lord, one thousand four hundred and eighty-seven, and of the reign of our foresaid most serene Lord the King the twenty-eight year ; On which day our supreme Lord the King was present with my lords the prelates, earls, barons, free tenants, and commissioners of the Burghs underwritten, etc. ; And on the same day the underwritten Acts and Statutes were promulgated and read, and solemnly approved and confirmed by our said most serene lord the King : On the said twenty-ninth day John Hay of Zester was made a Lord of Parliament, and in future to be called Lord Hay of Zester. Extracted from the book of Acts of Parliament by me, Sir John Skene of Curriehill, knight, Clerk of the Rolls, Register, and Council of our most serene lord the King, under my manual sign and signature.

Note.—This paper is put up with the Earl of Tweeddale's patent, and on the enclosing paper it is referred to as "the act of parliament mentioning John, Lord of Hay of Zesters being a lord of parliament in ye year 1486, extracted by Mr. John Skene, Clerk Register tho David his father was created Lord for which there is writts to evidence it tho it seems he hath not sitt in parliament.' (*H.*)

The family history written in 1687 says that Sir David Hay of Yester (father of John) was created 1st Lord Hay of Yester in 1439, but this is evidently wrong. As foregoing items show he is often called Dominus de Yester but never Dominus Hay de Yester, which is the style *after* the 1487 creation.

Sir John Skene was Clerk Register 1594 to 1604, and this extract was produced in 1606 before the Commissioners appointed by the King anent the precedency and priority of dignities. There was also produced ane instrument under the subscription of Alexander Clark nottar bearand that nobilis Dominus David de Hay miles Dominus de Yeaster recognosced two husband lands with a Coatland of the town and lands of Duncan Law because Edmond Hay, tennent of the saids lands sold the same without his consent, 8 Februarie 1448, Ja. 2.

227. 14th June 1488. Charter by John Caudill, burgess of Hadingtoune, in favor of Master Andrew Hay, provost of the Collegiate Kirk of Bothans, Sir Nicholas Hay, prebendary of the said Kirk and the other prebendaries thereof, of an annual-rent of forty shillings scots, furth of his tenement of land lying in the said burgh, on the north side of the market cross, between the land of the late William Young on the north and "le pentis" on the south, the land of Thomas Wawane of Stewinstoun on the west and the common vennel on the east parts, for a certain sum of money paid by the granters to him. Holding to them from the granter his heirs and assignees of the King in fee and heritage for ever. At Hadingtoun, 14th June 1488. Witnesses, Laurence Mauchlyn, Laurence Hog, John Wals, Stephen Lausoun, John Redpeth, burgesses, Sirs Thomas Bernis, Nicholas Bowmakare, William Lummysden and Alexander Kynwynny, chaplains, Robert Aytoun and William Sleich, notaries public and John Hugoun, serjeant. (*M. and H.*)

Seal gone. A note (translated) says: "Now, indeed, thirty sh., because we lost 10 sh. for the building of the whole tenement in 1520, then totally destroyed."

228. 8th Jan. 1488/9. Charter by Edmund Quhitlaw, burgess of Hadingtoune, in favour of Sir Nicholas Hay and other prebendaries of the Collegiate church of Bothanis, of an annual-rent of thirteen shillings four pence, furth of his tenement of land, with pertinents lying in the said burgh on the west part of "le *Sidgate*" between the land of the late Walter Aytoune on the north and the land of John Tod on the south part, in consideration of a sum of money paid to him by the said Sir Nicholas—Holding to the said Sir Nicholas and the other prebendaries and their successors, from the granter of the King, in fee and heritage for ever. At Hadingtoune, 8th January 1488. Witnesses, Sir John Yhoung, rector of Morhame, Sirs Nicholas Bowmaker, and Alexander Kylwynny, chaplains, Hugh Yhoung, Stephen Leirmonth, George Leirmonth his son, Alexander Con, John Broun, and "Signanter" Patrick Cokburn, one of the bailies of the said burgh, George Leirmonth and Sir Robert Aytoun, notaries public, George Hall and John Huggoun, serjeants. (*M.*)

Seal complete but device not decipherable.

228A. 4th Feb. 1488/9. William Hayis. Sasine of hayis quarter of Linplum as air to umquhile Sr. Wme. Hay, his father, daitit 4 Feb. 1488, under the note of Jon. Hay, preist. *No.* 42, 1617 *Linplum Inventory.* (*H.*)

229. 6 Feb. 1488/9. Charter by Sir Nicholas Haye prebendary of the Collegiate Kirk of Bothanis, of the diocese of St. Andrews, in the parts of Lothian, mortitying to Omnipotent God, the virgin Mary and all the Saints, for the welfare of the souls of James IV. King of Scots and his parents, ancestors and successors, and of John Lord Hay of Yestir and Elizabeth his spouse, their offspring, and the granter's father and mother, and of his own soul, and to one chaplain celebrating divine service at the altar of the Holy Cross in the said church, that his tenement of land lying in the burgh of Hadingtoune on the east part of the Sydgate, upon the King's Wall, between the land of Master William Patrick on the south, the land of John Lawdir on the north parts; and an annual-rent of thirteen shillings four pence due to him out of the tenement of Maurice Galbraithe lying in the said street of Sidgate on the west part thereof, between the land of James Crosare on the south and the land of Thomas Blak on the north parts: Also an annual rent of thirteen shillings four pence due to him out of the tenement of Edmund Quhitlaw lying in the said street on the west part of the same, between the land of John Tod on the south and the land of the late Walter Aytoun on the north parts: And also an annual-rent of thirteen shillings four pence due to him out of the tenement of John Broune lying on the west side of the foresaid street, between the land of the said Walter Aytoun on the south and the land of Henry Scot on the north parts;

and likewise an annual rent of forty shillings scots, due to him out of the tenement of John Caudele, lying in the said burgh on the north part of the Market Cross thereof, between "le pentys" on the south and the land of the late William Yhoung on the north parts: Together with that tenement of land of the late David Liell lying on Tyne in "le Nungate" between the land of Henry Mayne on the *north* (*sic*) and the land of John Hercas on the *north* (*sic*) parts: And an annual-rent of four merks due to him out of the lands of the late Thomas Newtoun lying in the west end of the town and territory of Newtoun, within the barony thereof: With the half part namely the north part of the yard commonly called "le be zard" lying in the town of Bothanis, which the said Lord of Yester gifted to the house of the said chaplain; with one acre of arable land "in le Awnay schot" within the lands of Gamylstoun and pasturage of one cow and of one calf so long as it shall be sucking the udder of the mother, and with "dieta focalium semel in anno" within the parts of Gamylstoune yearly when other "vicini sua focalia acquirunt." Holding to the said chaplain and his successors in pure free and perpetual alms. At Bothanis 6th February 1488: Witnesses, Sirs James Lempetlaw vicar of Makcarstoun, William Todrig, John Haye, John Trotare, John Yhoung, Alexander Kynwynnyn and John Liell chaplains, David Dalrimpill, William Dalrympill, James Sinclare, William Haye and Thomas Haye. (*M. and H.*)

Seal gone.

229A. 22nd March 1488/9. Ane instrument of Sasine of boydis quarter of the landis of linplum gevin be the lord Zestir to william hay sone to umquhile Sr. Williame hay of Tala knight daitit the 22 Marche 1488 under the note of Johne Hay preist. *No.* 37, 1617 *Linplum Inventory.* (*H.*)

229B. 7th April 1489. Ane chartour made To William hay sone and air to umquhile Schir Wm. hay be Johne lord hay of Zestir of boydis quarter of linplum 7 Aprile 1489. *No.* 43, 1617 *Linplum Inventory.* (*H.*)

230. 13th Mar. 1488/9. Precept from Chancery of King James III. direct to John Lord Hay of Yester, superior of the lands underwritten, following on Retour by the Sheriff of Edinburgh within the Constabulary of Haddington, for infefting Cristopher Hume as lawful and nearest heir of the late Gilbert Hume his grandfather, in one half carucate of land of Alexander Coc. lying in the territory of Baro in shire of Edinburgh and Constabulary of Haddington, by virtue of Dispensation from the King under his signet and subscription and endorsed by the Treasurer of date at Edinburgh 14th July in the 28th year of the King's reign dispensing to the said Cristopher to succeed to his said grandfather notwithstanding that the late Alexander Hume his father was convict to the death for certain treasonable crimes, committed by him; as if no crime had been committed against the King's Majesty; and also in another half carucate of land with toft and croft containing 2½ acres, by those divisions by which Adam Lumbard held the same, lying as above. And that he is now 17 years of age or thereby. To be held of the said superior. At Edinburgh 13th March 29th year of King's reign. 1488-9. (*M.*)

231. 31st March 1491. Precept from the King receiving Alexander Borthwik, Master Adam Borthuik, Master Alexander Borthuik, William Hay, James Sinclare and William Dalrumple, as attorney or attornies for Margaret Hay spouse of William Borthuik son and heir apparent of William Lord Borthuik, in all negotiations, speeches, suits and quarrels moved or to be moved by the said Margaret. At Edinburgh 31st March 3rd year of the Reign of King James IV. 1491. (*M.*)

No seal.

232. 18th Sept. 1492. Confirmation by Robert Archbishop of Glasgow of a Charter granted by William Murray of Mylkamestoun to his son John Murray, for help counsel and service rendered to his said father, of the half of the said lands of Mylkamestoun lying in the white (alba) barony within the sheriffdom of Peebles, Reserving the free tenement of the same to the granter during his lifetime. Holding to the said John and his heirs of the granter in fee and heritage for ever. Rendering one penny yearly on St. Mungo's day in name of blench ferme if asked. At the burgh of Peebles 18th September 1492. Witnesses, Alexander Murray, James Scot, Robert Crunzane and Sir Thomas of Craufurd notary public. Confirmation dated at Edinburgh the same day and year, and 9 year of consecr. (*M.*)

The round seal of the Archbishop is appended, and is broken at top and slightly at foot.

233. 9th May 1494. Instrument on the protestation in the Court of Wm. Earl of Erroll, held by his baillie Edmund Haye, by Thos. Blak Baillie of John Lord Hay of Yester lord of Edmoir that nothing should be done in prejudice of his said lord of Edmoir: Done at Eroll *in monte curie Deputato debito et consueto*, 11 a.m. 9 May 1494: Witnesses, Mr. Henry Clerk, vicar of Abiravan N.P.; Sir John Symonis of Ross Chaplain, and chamberlain of the Earl of E.; Peter Haye lord of Leys; John Ramsay lord of More; Richard Kynman lord of ly hyll of Lorny; and John Cok serjeant: Robert Haye, priest S. And. dio., A.M., N.P. I.a. (*H.*)

234. 28th June 1494. Notarial Copy of No. 38 at the instance of John Lord Hay of Yhestir, baron of the barony of Olivercastell, and Sheriff of Peebles, who produced one half of the indenture bearing the common seal and the seal of the Abbot of Melrose, Sir Bernard Abbot of Melrose and Dean Dompnus) John Hyrdmann cellarer admitting the other half was preserved in their monastery: Done in the College Kirk of S. Giles Edinburgh at the Altar of S. Salvator, 9 a.m., 28 June 1494: Witnesses, John Lord Kennedy, Wm. Cokburne son and heir of Alex. C. of Langtoune, Masters Andrew Oliphant, Jas. Akynhede, clerks of the diocese of S. Andrews, Alex. Boyde, John Montgumre, Edward Cokburne, Columba Dunbar, and Jas. Sinclare, esquires: Wm. Lang, priest S. And. dio., N.P. I. and R.a. (*H.*)

235. 14th July 1494. Instrument on the presentation and delivery by Sir Wm. Todryk, prebendary of the College Kirk of Bothanis and one of the executors of um. Sir Rob. de Morhame prebendary of the said Kirk, to the chaplains or prebendaries of the said Kirk assembled in chapter of the evidents of an annual rent of 10sh. from the lands of Thos. Todryk burgess of Haddington, lying on the west side of the King's street of the Sidgate of Haddington between the tenement of Mr. Wm. Patrick on the S. and the ten. of Alex. Johnson on the N. acquired by Mr. And. Hay Provost of the said Kirk, Sir Jas. Lempetlaw vicar of Macarstone, and the said Sir Wm. T. as executors: Done in the Choir of the said College Kirk, 9 a.m. 14 July 1494; Witnesses, Sirs Nicholas Hay, John Trotar, Adam Lempetlaw, Thos. Browne, and John Lyell curate, with Thos. Hay parish clerk: John Hay notary. (*H.*)

236. 14th July 1494. Retour of Gawin Cunnyghame as lawful and nearest heir of the late John Cunnyghame his father, in the forty shilling land of Cobillhawch, lying in the Lordship of Bonytoune and Sheriffdom of Lanark. Which lands are held in chief of the laird of Bonytoune in feuferme for payment of forty shillings and for services at the Mill and courts of the said Laird of Bonytoun, conform to Charter granted to the said deceased John Cunnyghame, and which lands had been in the hands of the superior for four years or thereby through the decease of the said John Cunnyghame and non entry of the lawful

heir; The Inquest held at the Burgh of Lanark before Patrick Hammiltoune sheriff depute of Lanark 14th July 1494 by Alexander Mowatt of Stanhous, John Carmychaell of Medoflatt, Stephen Lokart of Cleghorne, Knight, Alexander Wer of Byrkwod, Roger Thuede, John Hammiltoune of Lathame, John Broune of Cultermanis, Alexander Lokart of Wikitshaw, Alexander Hammiltoune of Catcastall, Alexander Lekprewik of that Ilk, Patrick Mur of Annastoune, John Symontoune, John Punfra of Hynschelwode, Alan Hammiltoun in Owertoune and William Ynglis. (*M. and H.*)

The seal of one of the inquest, apparently that of P. H., remains, with tags of other six.

237. 3rd Oct. 1495. Instrument of Resignation by William Haye of Nethir Manzeane of the lands of Nether Menzeane in the barony of Olivercastell and sheriffdom of Peebles, in the hands of John Lord Hay of Yestir, sheriff of Peebles, baron of the barony of Olivercastell, and superior of the said lands. Which resignation the said Lord Hay received and gave state and possession of the said lands to William Haye his son, and the heirs male lawfully to be procreated of his body. Done in the old town of Peebles at the Mansion of the Archbishop of Glasgow 3rd October 1495. Witnesses, Friar Thomas Lowis, minister of the Church of the Holy Cross of Peebles, John Murra of Blakbarony, John Lowis, William Dayl, Gavin Lomysdane, Colin Dunbar, Archibald Dalrumpele and Ninian Derlyn-Thomas of Crawfurd is notary. (*M.*)

The seal appended is purely a Hay seal, *i.e.* three escutcheouns on the shield.

238. 6th Oct. 1495. Charter by John Hay, Lord of Yester, sheriff of Peebles, and baron of the barony of Olivercastele and Ester Hopprew, to William Hay his son of the lands of Nether Menzeane, lying in the barony of Olivercastell and shire of Peebles on Resignation by William Hay "Consanginei nostri" our Kinsman. Holding the said lands to the said William Hay son of the granter and the heirs male lawfully to be procreated of his body, which failing to George Hay his brother german and the heirs male lawfully to be procreated of his body, which all failing to revert to the granter and his lawful and nearest heirs whatsoever, of the said Lord of Yester in ward and relief in fee and heritage for ever. Rendering three suits of court and three pleas annually in the head court of the barony of Ester Hopprew. Reserving the said lands to the resigner in liferent and to Janet Lowis his spouse, a reasonable terce out of the same after his death. At the town of Neidpeith 6th October 1495. Witnesses, Friar Thomas Lowis minister of church of Holy Cross of Peebles, John Murra of Blackbarony, and others as to preceding writ. (*M.*)

Seal of granter in good condition.

239. 9th Nov. 1495. Instrument of Sasine following on Precept from Chancery directed to John Hepburn sheriff depute of the Constabulary of Hadyngtone, for infefting Andrew Bertrahame of Southwod, in two acres of land of the late Walter Bertrahame, lying in the said Constabulary on the north part near Hadyngtone between the land of John Aytone on the west and the land of Walter Cokburn on the east. Dated 9th November 1496. Witnesses Robert Cokburn, Walter Thomsone, Hugh Man burgesses of Hadyngtone, Robert Fortoune indweller in the town of Barnis, William Yowng serjeant, Patrick Lawsone is attorney for said Andrew Bertrahame and Henry Lawsone is notary. (*M.*)

239A. 6th Aug. 1496. Ane chartor grantit be thomas tod burges of hadingtoun quherin he dispones to sir thomas Zoung provest of the colledge kirk of bothanes and to the prebendaris and chaplaines of the same kirk and ch[illegible]lie to the executoris of sir thomas lempetlaw vicar of mckarstoun ane [illegible]ualrent of six shillingis aucht penneyes (& that certain soumes of money

delyverit to him be them) to be upliftit out of his tenement of Land in hadingtoun neir the tolbuith thereof to be haldin of the king wt claus of warrandice daittit at hadingtoun 6 aug. 1496 (not subt. nor seillit).

Ane instrument of seasing (be way of resignatioun) gevin *propriis manibus* be the sd. thomas tod to sir patrik lermonth vicar of bothanes adam lympetlaw and jon troter prebendaris of bothanis and to sir thomas Zoung proveist of bothanis and to alexr. lympetlaw and the sd. adam executoris of the sd. sir thomas lympetlaw noter therto jon hay of the dait 6 august 1496.

Ane act (?) of ratificatione of the alienatione of the annualrent abonenwritten in presens of patrik cocburne ballie of hadingtoun of the dait at hadingtoun of the seasing abonewritten noter therto the sd. ion hay. *Nos.* 2, 3, *and* 4 *of Inventory of Edmond Altar Writs.* (*H.*)

240. 1st Feb. 1496/7. Charter by Robert Lauder of Bass and Lord of Auldkathi to Robert Lauder his eldest son and Ysobella Hay his spouse, and the survivor of them, and the heirs male to be procreated of their bodies, of the lands of Auldkathi lying in the barony of Kynnele and sheriffdom of Lithkew; Holding to the said Robert younger, and his foresaids, which failing reverting to the granter and his nearest heirs whatsoever, of the granter and his heirs in fee and heritage for ever: Rendering therefore one penny scots on the ground of the said lands at the feast of St. John the Baptist, in name of blench ferm if asked. Reserving to the granter the donation of the Kirk of Auldkathi, and one house in which John Young now dwells. At Beill 1st February 1496. Witnesses, William Hay of Menzen, William Hay of Tallo, Hugh of Dunbar, Gavin Lumisdane, Thomas Wod, James Sinclar and Peter Wod. (*M.*)

Seal of granter in fair condition.

241. 8th June 1498. Charter of Confirmation under the Great Seal by James IV. to John Craik, burgess of Peebles, of 3 acres of land in the sheriffdom of Peebles at the east end of the burgh of Peebles on the North side of the King's highway between the land of John Lawsone on W., land of John Loth on E., and the hill of Venlaw on N., and also the Office of Serjeant, commonly called "Kingis Seriand," in the said sheriffdom, which pertained in heritage to Joneta Broun, spouse of Richard Derlyn, and resigned in the king's hands at Edr. by said Janet: To be held by the said J.C. and his heirs in fee and heritage: Edinburgh, 8 June 1498: Witnesses, Wm. Bishop of Aberdeen Keeper of the Privy Seal, George Earl of Huntle Lord Badzenach Chancellor, Archd. Earl of Ergile Lord Campbel and Lorne Master of the Household, Patrick Earl of Boithvile Lord Halis, Alex. Lord Hume Great Chamberlain, John Lord Drummond Justiciar, Rob. Lundy of Balgony knt., Treasurer, and the king's clerks, Masters Richard Murhede Dean of Glasgow Secretary and Walter Drummond Dean of Dunblane Clerk of Rolls, Register and Council. (*H.*)

Great Seal appended entire, shewing marks of the four pins, but defaced. (*Cf.* Reg. Mag. Sig. II. 2418.)

242. 6th Nov. 1498. Instrument of Sasine by Gilbert Vilzamsoun, Sheriff "in hac parte" for James IV. to John Crake of the 3 acres and office mentioned in No. 241 by delivery of earth and stone and delivery of the wand or baton into his hands on his swearing to do his office faithfully and truly: Done at the south end of the said lands, 11 a.m., 6 Nov. 1498: Witnesses, Sir John Hay of Snaid knt. Sheriff depute of Peebles, John Cokburne, Walter Balcasky, Wal. Patersoun, John Lokart, Sir And. Tait, and Ninian Darlyne, king's serjeant of said Sheriffdom: Thos. de Crawfurd, priest Glasg. dio., N.P. I. and R.a. (*H.*)

243. 4th Feb. 1499/1500. Retour of Inquest held at Giffergait 4th February 1499 in full court by Thomas Hay bailie to wit Martin Matland, Adam Braidwod,

Patrick Dow, John Saidlar, William River, John Portar, George Lyll, David Lyll, William Lyll Dayll, Archibald Dawrumpill, William Dawrumpill, Patrick Ogyll and James Sudderland; finding that John Brown is nearest and lawful heir of the late Thomas Forsythe his uncle (avunculi) in six rudis of land lying in Giffergait contiguous to "le rudcroft," which land was valued at 40s. in time of peace. Holding of Lord Hay of Yester by service of burgh of barony for payment of 6 pennies for the rud money rents. (Torn.) (*M.*)

243A. 4th Feb. 1499/1500. Instrument of seasing proceeding upon a precept of Clare Constat grantit be my Lo. Zester to Jhon broun of Coalesoun as air to thomas forsyth his "eme" of 6 rudis of land Lyand on the east syde of giffertis gate betuixt the landis of the rude of hadingtoun on the north and candles orchart quhilk sensyne is transferred be Jhon Schinmerg noter publick of the dait the 4 Februare anno 1499 forth of the protucoll of patrick lausoun noter publick anno 1525. (*H.*)

No. 3 of a minute of vassalis writes of some landis about hadington (17th century).

244. c. 1500. Contemporary paper copy of a Reversion, in vernacular, by James Duncanlaw, youngest son of Wm. Duncanlaw, To his eldest brother Andro of two cotlands in the town of Duncanlaw resigned by the said Wm. D. to John Lord Hay of Zester, the superior, in favour of the said Jas. D., For payment of 41 marks 6sh. and 8d. upon the Hie Alter of Sanct Mongo kyrk callit Barro after 40 days warning given on a haliday in tym of the hie mess. (*H.*)

245. c. 1500. Rollis of the heid court of peblis.

The lorde of lyne and hopprew.
Ye lorde flemyng for ye halff of kyngildorris.
Ye lorde flemyng for owyrmonethe.
Ye larde of drummallzore.
[1] portwss for ye his (*sic*) part of ye Rarquene.
[2] Thome dekesone for his part of ye Rachaine.[3]
George of geddass for his part of ye Rachane.
Thome [4] of geddass for his part of ye Rachane.
Johnne [5] portwss for his part of ye quhitslade.
Patrik gylleyss for his part of ye quhitslade.
Thome henrysone [6] }
Marione dikesone } for ye qukytslade.
Cristianne Inglis }
Ye larde of stallouss (*sic*) for ye half of brochtone.
[7] —— Hawdanne for his part of brochtone.
The larde of kirkhorde.
Ye larde of Rowmanok.
Ye larde of denewestyr.
Wilzam of stewarttowne for his part of ye samyn.
Ye larde of owrislande.
Ye larde of styrkfeyld.
Wilzam lawdyr for ye est syde of Kydstone and wormestone.
Wilzam lawdyr for ye west syde of ye samyne.
Ye larde of hawmyr.
Ye lard of fowleche.
Ye larde borthwchk for hormyston westyr.
Ye larde of ye mainyss of swynnope.
Ye larde of horsbrowk.
Ye thre lardis of prowoshill.
Gilbart kokburne for his part of ye glene.
Tome myddylmest for his part of ye glene.

Jonet murray for hir part of ye glene.
Ye larde of cardronok.
Ye larde of drummalzor for hopkellov Westyr.
Ye twa lardis of bonytoune.
Ye larde of hundalishoyp.
Wilzame of pebliss for crukstoune.
The larde of menar.
Ye larde of posso.
Ye larde of hendyrlande.
Wilzame sandwlandyss[8] } for yar part of bolde.
Ector Cranstoune. }
Ye larde of glenkyrk. (*It is uncertain whether he is included in bracket—for bolde.*)
W(at ?) Car for his part of ye bolde.

A line is left blank, or has worn blank.

The larde of ——. *This item is crossed out and the parchment has been cut off (leaving signs of another line), and stitched to another parchment, three lines of which are partly hidden. It also appears to have been cut off from more writing. These three lines are :—*

Wil of gedass for m——
Ye larde off ——
Ye larde off cardonok for hostlarland.

The thre hed courtis.

The larde of olyfercastal.
Ye larde of langlande hill.
Ye larde of skyrlyne.
Ye larde of Bogende.
Ye larde of blakborony.
Thome wilsoune for his part of Stewarttoune.
Ye larde of denwestyr.
Ye larde of Romanok for his part of curop.
——[9] Greg for his part of curop.[10]
Ye larde of kyngislande.
Ye larde of venkstoune and boralfeld.
Ye larde of gledstaniss for malwynisland.
Ye larde of horsbrok hocconsfelde.
Ye larde of mennar for z corskonyfelde ande catcorssoune.
Ye ladeis of ye half of corskonyfelde & catcorstoune.
Ye ladeis of ye sueitsyde.
Ye larde of erltis orchart.
Ye larde off grostoune.
Ye larde of prene.
Ye larde of henderstoune & nobye.
Ye larde of gledstanyss for rodgrewetoun.
Ye larde of dawyk.

Two lines are left blank followed by this heading :—

Ane Hedf Court.

Ye larde of corrislande.
Andro ye hay for his part off stewarttoune.
Ye larde of estyr aconfelde.
James[11] off sandwlandis for his part of bolde.
Ye larde of ——.
Ye larde of gledstanyss for westyr aconfelde.
Will of geddass for mede aconfelde.

Ye larde of wat caill.
Ye larde off Cardronok for hostlarlande. (*H.*)

Notes.—[1] Left blank, Wilzam added later. [2] Thome scored out and Jhone substituted. [3] Sym crek added later. [4] Thome scored out and Jhon substituted. [5] Vilzam substituted later for Johnne. [6] Thome henrysone scored out and James of cokburn substituted. [7] Left blank and Wilzam added later. [8] "Ilk ane of yaim ane fut" added later. [9] Left blank and Johnne added later. [10] Wm. doby added later. [11] James scored out and Jhone substituted.

246. 1st April 1500. Charter by Robert Cunnyngame, baron of Polmaiss Cunnyngame, son and heir of Sir Alex. Cunnyngame of Polmaiss knt., and superior of the third part of the lands of Glen in Peeblesshire and united to the said barony, with consent of his father. To Mertin Balcasky, burgess and baillie of Peebles, and Cristina Mordostoun his spouse, of a markland in the said lands of Glen, viz., in Eschellis, Farnehalch, Spittal haulgh, and Fluris resigned by the said M.B. for conjunct infeftment to himself and his wife: Edinburgh, 1 April 1500: Witnesses, Valter Sellar, Valter Slytht, John Lowis, Alex. Murra, Alex. Cunnyngham, and Thos. Haswell. (*H.*)

Seals of Rob. and Sir Alex. Cunnyngame appended in fair condition.

247. 10th June 1500. Notarial instrument on the appeal by John Lord Hay of Yester, to the Pope Alexander VI., and his See, anent a process as to matters of dispute between the appellant, and Sir Robert Lauder, Knight of the Bass, and the sentence therein delivered by Mr. David Meldrum official principal of St. Andrews, craving the protection and diffinitive sentence of the papal See from the grievous and hurtful sentence aforesaid. Done at Haddington on 10th June 1500. Witnesses, John Carnour, Martin Matland and Laurence Dikisone, Patrick Lauson is notary. (*M.*)

247A. 28th July 1500. Item ane Instrument upoun the resignatioun made be Wm. frasser of fruid of the landis thairof in the Lord Zesteris handis In favour of William frasser and his airis daittit 28 of Julii 1500, under the signe and subscriptioun of Thomas Craufurd nottar.

247B. Item ane chartour grantit be Johne Lord Hay of Zester to William frasser of fruid of the Landis thairof with the pertinentis to be haldin of him and his airis as comeand In his handis be resignatioun of the said William for payment of ane pair of blak spuris upon the day of the nativitie of St. Johne the baptist in name of blensche, daitit 28 Julij 1500.

247C. Item ane precept of Seasing direct according to the foresaid chartour of the dait thairof sealed.

247D. Item ane Instrument of Seasing gevin conforme to the said chartour and precept of Seasing daitit and sealled 6 August 1500 under the signe and subscriptioun of Thomas Craufuird notar. *Nos.* 3, 4 *and* 5, 1632 *Drumelzier and Frude Inventory.* (*Cf.* "Charter Chest of the Earldom of Wigtown," No. 444). (*H.*)

248. 15th June 1501. Charter by James Bassindane, burgess of Edinburgh, to David Forus, burgess of Haddington, of his land in the burgh of Haddington on the N. of the Gryp thereof between the land of Rycard Quhitlaw on E. and land of Wm. Kerryntoune on W.: Paying yearly the usual burghal firm to the Ki[illegible], and 10 sh. to the Altar of S. Edmund in the College Kirk of Bothanis: H[illegible]dington, 15 June 1501: Witnesses, Adam Cokburne, Mr. Thos. Borthyk,

and Laurence Flemyne, baillies of Haddington, Alex. Crumby, Henry Congiltoune, Wm. Loudoune, Wm. Schurtus, Wm. Selkryk, John Leinman, Wm. Smytht, Morice Caubratht, and Rob. Mawthtlyn, serjeants. (*H.*)

Seal appended in good condition.

249. 17th July 1501. Decreet arbitral, in vernacular, by Patrick Home of Fastcastelle, Rob. Charteris of Amysfelde, and David Cunynghame, canon and Official of Glasgow Arbiters between Sir Baldred Blacadir knt., pursuer, and John Lord Hay and his son Sir John Hay of the Snaide knt., defenders, decerning Blacadir to assign the Ward of the lands of Vest Bernis, Fifeshire, and Snaide, Drumfriesshire, with the marriage of John Cunynghame, granted him by King James the Third, to Sir John Hay on payment of 600 marks to him by Lord Hay and Sir John Hay: At Edinburgh, 17 July 1501: Witnesses, Rob. Douglas of Louchlevin; Alex. Kirkpatrik of Kirkmichaelle; and Mr. Richard Gibsoun, N.P. Signed. (Paper). (*H.*)

249A. 29th Oct. 1501. Decreet of Transumpt by way of Instrument by Wm. Wawane, Licentiate in Laws, Canon of Aberdeen, Official of S. Andrews in the Archdeaconry of Lothian, of No. 56, at the instance of John Sinclair of Hirdmanstoune and presented by his procurator, Mr. Mat. Ker: Done in the Court of the said Official held in the Consistory House of S. Giles' Kirk, Edinburgh, 11 a.m., 29 Oct. 1501: Witnesses, Alex. Lauder, burgess of Edr.; Mr. Clement Currour; Sir Andrew Quhit; Jasper Mayne; and Adam Hoppar; Geo. Newtoune, clerk to the said court, N.P. I. and R.a. (*H.*)

Seal of the Official appended in fair condition. An endorsation bears that it was produced by John Sempill, writer, and recorded in the Books of Exchequer 15th March 1656.

250. 8th November 1501. Retour of Inquest held at Hadington 8th November 1501 in the Sheriff Court, before John Broun of Colstoune, Sheriff depute of Edinburgh, in the constabulary of Hadington, by John Hepburn of Rollandstone, George Lyll of Stanepeth, John Quhitlaw of that Ilk, Patrik Hepburn, Thomas Borthyk, George Cokburn, Archibald Douglas, Gilbert Home, Andrew Lowis, William Daurumpil, William Daill, James Hepburn, and John Waus; of Thomas Hay as lawful and nearest heir of the late Sir Nicholas Hay Chaplain, his uncle (patruus) in an annual-rent of 4 merks, furth of the lands of John Newtoune lying in the west end of the town of Newton in the barony of Newton Constabulary of Hadington and Sheriffdom of Edinburgh. Held in chief of said John Newtoune as superior, having been in his hands since the death of said Sir Nicholas 3 years last past. Expede at Haddington 1501. (*M.*)

The seals of five of the inquest are appended, and are more or less complete.

251. 3rd December 1501. Bond of Manrent by Thomas Dikesoun of Ormestoun and his heirs to John Hay of the Snaid, Knycht, Sheriff Depute of Peebles, and his heirs, to render leal and thankful service in their bodies and goods, etc., for ever. Dated at Peebles 3rd December 1501. Witnesses Gilbert Williamson, John Dikesoun, William Lowis, John Dunbar, Patrik Dikesoun and Sir Thomas of Crawfurd notary public. (*M.*)

Seal of the granter in good condition is appended; signed "thomas dikeson of ormyston."

251A. 25th Jany. 1501/2. Item ane chartor be Ja. bassindean burges of edinburgh disponeing to david furrous burges of hadingtoun that tenement of Land Lyand in the brough upoun the northsyd of the gryr thereof Boundit to be haldin of the king burgadge and Peying to St. edmund his alter 10s. money yeirlie 25 Jany. 1501. sealed not subt. *No.* 13. *Bothans Provostry*, 1660 *Inventory*. (*H.*)

252. 27th Janry. 1501/2. Charter by John Lord Hay of Zester, Sheriff of Peebles, and baron of Oliveriscastel To Gavin Vaich, son of Wm. Vaich of Kingsyd, of his half of the lands of Glenrusco in the barony of Oliveriscastel, resigned in favour of the said Gavin by the said Wm. Vaich, who had bought them for £40 from um. Sir David Hay of Zester, knt., the granter's father: Paying yearly 20 pence in name of blanche-firm if asked: Under Reversion for £40 to be paid by the said Lord Hay or his heirs on the High Altar of the Kirk of Dawik: At our town of Nedpeith, 27 Jan. 1501: Witnesses, Wm. Cokburne of Henderland, Wm. Hay of Tallo, Ninian Patersoun of Caverhil, Jas. Singcler, Symon Geddas, and John Quhippow. (*H.*)

Seal appended, slightly defaced. (*Cf.* A.D.C., vol. xix., fol. 304.)

253. 3rd Feb. 1501/2. Reversion by Gavin Vaich, son and heir of Wm. Vaich of Kingsyd, following on No. 252, Glenrusco, 3 Feb. 1501: Witnesses, Bernard Vaich, son and heir of Alex. V. of Dawik, Ninian Patersoun of Caverhil, John Geddes, and John Thomesoun. (*H.*)

Seal appended in good condition.

254. 6th April 1502. Bond of Manrent by Walter Hunter of Polmod, binding himself in Manrent and service to John Lord Hay of Zester Baron of Olivercastel, his overlord of the lands of Polmod. Dated at Peblis 6th April 1502. Witnesses, Master Hew Giffart, David Welch. Wilzame Hunter and Schir Thomas of Crawfurd public notar. (*M.*)

Seal gone.

255. 26th April 1502. Contemporary Paper Copy of an Instrument of Sasine by John Atchinlek following on and narrating a Precept of Sasine by John Lord Hay of Zester, Sheriff of Peebles, baron of Olivercastell, and superior of the lands of Polmude, to Sir John Hay of Snaid, knt., Wm. Hay of Tallo, Chas. Geddes of Rauchane, John Dunbare, and John Atchinlek for Walter Huntare of Polmude, who had resigned them for new infeftment, of the said lands of Polmude in the barony of Olivercastell, dated Nedpeth, 28 Janry. (1500-1), witnesses, Jas. Sinclare, Gavin Lummisdaill, Thos. Brewhous, Stephan Craik, Sir John Lummisdaill, and John Hay: Sasine given in the Hall of the head messuage of Polmude, 11 a.m., 26 April 1502: Witnesses, John Patersoune, Allan Hendersoune, Geo. Patersoune, Jas. Stuill, and Thos. Balkelky.

Signed Et ego thomas craufurd presens suprascriptum instrumentum confeci. (*H.*)

256. 9th May 1502. Instrument narrating that Thomas Hay heir of the late Schir Nicholas Hay his uncle, passed to the principal mansion of John Newtoune and there presented a Precept of the King requiring Sasine of an annual-rent of 4 merks and that none compeared to respond. Dated 9th May 1502. Witnesses, Robert Trotare and Thomas Hay son of Stephen Hay. Thomas Hoy is Notary. (*M.*)

257. 27th May 1502. Crown Precept by King James IV. directed to John Newtoun superior of the annual-rent underwritten, for infefting Thomas Hay as lawful and nearest heir of the late Sir Nicholas Hay, chaplain, his uncle, in an annual-rent of four merks furth of the town of Newtoun, in the Constabulary of Haddingtoun and shire of Edinburgh. At Edinburgh 27th May in the 14th year of the King's reign (1502). (Tag). (*M. and H.*)

258. 10th June 1502. Charter by John Lord Hay of Yhestir to Jas. L[illegible]patlaw, son and heir of Alex. L., of a piece of land in the town and territory o[illegible]bothanis and also two acres in the town and territory of Gamylstoune, which

once belonged to a man called Cosour, and a rig of land in G., all which had been granted by Sir David Hay knight, of good memory, the granter's father, to the said um. Alex. L. : To be held in feefirme for 20sh. yearly : Yhestir, 10 June 1502 : Witnesses, John Hay of Snayde, Geo. Hay, the granter's sons ; Wm. Hay of Tallo ; Wm. Cokburn of Innyrland ; Wm. Olyfant of Kelle ; Sirs Wm. Todryk ; John Trottar ; Adam Lempatlaw, chaplains ; John Hay ; and Stephen Crake. (*H.*)

Seal of the granter appended, in good condition.

259. 10th June 1502. Instrument of Sasine given personally by John Lord Hay of Zester, following on No. 258 ; Done in the town of Bothanis, 11 a.m., 10 June 1502 : Witnesses, John Hay of Snayde, knt., Jas. Singlar, Sir Wm. Todryk, chaplain, Sir Pat. Lermonth, vicar of Bothanis, Sir Adam Lempatlaw, Sir Thos. Brown, chaplains, and Stephan Craik : Thos. Hoye, chaplain, S. And. dio., N.P. A.a. (*H.*)

Seal of Ld. H. of Z. appended in good condition.

260. 18th June 1502. Instrument of Sasine by Patrick Patersoun, burgess of Peebles, following on and narrating a Precept of Sasine following on No. 246, with the same date and witnesses : Done at a "Hedrig" of Fluris, 11 a.m., 18 June 1502 : Witnesses, Alex. Murra, Pat. Patersoun, ygr., and Wm. Sclatter : Thos. de Crawfurd, notary. (*H.*)

261. 29th Sept. 1502. Assignation, in vernacular, by Sir Baldred Blacadir knt., to John Lord Hay of Zestyr, Sir John Hay of Snaide knt., and John Hay, son and heir of Sir John Hay, of his Gift and grant of the Ward of West Bernyss and marriage of John Cunynghame, etc. (see No. 210) : At Glasgow, penult Sept. 1502 : Witnesses, Mr. Rolland Blakater, Mr. Archd. Craufurd, Adam Melwyn, Malcolm Wanne, and Rob. Steill. (*H.*)

Paper. Signed "Baldred Blakader," and seal impressed, much defaced.

262. 16th Dec. 1502. Instrument of Sasine by Wm. Carmychell, baillie of Edinburgh, To Rob. Carmychell, burgess and serjeant of the said burgh, and Mariota his wife, etc. on the resignation by Eliz. Makculloch and John Lausoun, her spouse, of her waste land containing 9½ ells in length, between the ditch of Wm. Schersmith on S., and the land built and waste of Margaret Cesfurde on N., and lying in the tenement of um. —— Fothringahame in the Netherbow of Edinburgh on the S. side of the High Street, between the tenement of um. And. Moubraa on W. and tenement of um. John Balbirny on E. : the said Elizabeth, her husband being absent, swearing on the Holy Evangels that she had not been forced to assent to the sale : Done 3 p.m., 16 Dec. 1502 : Witnesses, Wm. Sinclare, John Helis, Pat. Jaksone, John Grenlaw, John Redpeith, Alex. Freir, Wm. Johannisoune, Henry Strathauchyne, N.P., and John Huntare, serjeant of the said burgh : Jas. Monynet, clerk, S. And. dio., N.P .A.a. (*H.*)

263. 14th Janry. 1502/3. Procuratory, in vernacular, by Gilbert Makmulane to Masters James Henrisone, Henry Quhit, Wm. Aitkinsone, chaplains, and Sir John the Hay of the Snaid knt. to compear before the Lords of Council at Edinburgh or elsewhere on 24 Janry. next and pursue Wm. Vaich of Dawik, son, heir, and intromitter with the goods of um. Wm. Vaich of Dawik, to hear him decerned as such to pay to the said G. M. £48 owing him by the said um. Wm. V. as pledge and sourete for Bernard Vaich for 20 oxen and 4 ky taken from G. M. by the said B. V. : Auchintaggart, 14 Janry. 1502 : Witnesses, Thos. Folcart, Thos. Coltart, Malcolm Makkanis, and Gilbert Rogersone. (*H.*)

Paper. Seal of John of Crechtoun of Hartwod impressed (because G. M. had none), much broken.

263A. 13th Feb. 1502/3. Cristiane Bakaskyis sasine To Marg. dagleishe of the landis of Windelawis of the dait 13 february 1502. *No.* 86, 1617 *Linplum Inventory.* (*H.*)

264. 21st February 1502/3. Precept by John Lord Hay of Zester, directed to his son John Hay of Snayd, Knight, Charles Geddes and Thomas Hay his bailies, for infefting his son George Hay in his lands of Oliphercastell, extending to a ten poundland, with pertinents, lying in the barony of Oliphercastell and sheriffdom of Peblis, in life rent, until he will obtain a benefice worth £100 per annum. At Edinburgh 21st February 1502. Witnesses, John Hay, Stephen Craik, John Auchinlek, Thomas Hay and Vedast Grersone. (*M. and H.*)

Seal of granter in good condition.

265. 1st April 1503. Charter by Robert Archbishop of Glasgow, Baron of the white barony of Eddilstoun and superior of the lands of Milkeanstoun in favour of Martin Balkasky burgess of Peblis and Cristine Mordachston his spouse and their heirs of the lands of Milkamstoun, lying in said white barony of Eddilston and shire of Peblis, on Resignation by Ninian Murray of Milkanstoun Holding of the granter and his successors, in fee and heritage for ever. At Glasgow 1st April 1503. Witnesses, names not inserted. Signature of granter. (*M.*)

Seal gone.

266. 8th April 1503. Charter by William Flemyng of Borde to John Murray of Falowhill of his lands of Glenrusco in the barony of Olivercastil and shire of Peebles, except a half acre beside the mansion thereof reserved to make due service to his superior: To be held in fee and heritage by the said John and his heirs: Paying yearly 2 silver pennies in name of blanche firm if asked: Edinburgh, 8 April 1503: Witnesses, Masters Jas. Henrisoun, Jas. Douglas, and Adam Ottirburn, Sirs Adam Peblis, and Edward Bog, N.P., and Alex. Zong, layman. Signed, "Wilza. flemyng of ye bord wytht my hande." (*H.*)

Seal appended, in fair condition.

267. 30th May 1503. Instrument of Sasine following on Precept by King James IV. directed to John Newton superior of the annual-rent underwritten, for infefting Thomas Hay as lawful and nearest heir of the late Schir Nicholas Hay, his uncle, in an annual-rent of 4 merks furth of the town of Newtoun, in the constabulary of Hadington and shire of Edinburgh. Precept dated at Edinburgh 20 May (the 14th year of the King's reign, *i.e.* 1502) Sasine on 30th May 1503. Witnesses, Johne Hay, William Dalrumpyll, Johne Geddas, Thomas Newtoune, William Lybertoune, Patrick Tempyll and Johne Moubray. Alexander Romannos is notary. (*M.*)

268. 9th Sept. 1503. Letters under the round seal by way of instrument by James Archbishop of S. Andrews, Duke of Ross, and Commendator of the monasteries of Dunfermlin and Abbirbroch fulminating and narrating a dispensation under the oblong seal by Julian Bishop of Ostia to William Oliphant and Isobella Haya of S. Andrews diocese to marry, although the said William had been contracted to a certain lady related to the said Isobella in the 4th degree of consanguinity, dated at S. Peters Rome 11 Id. Jan. Pont. Alex. VI. an. 11 (1502-3): Letters dated at Monastery of Dunfermlin, 9 Sept. 1503: Witnesses, Mr. John Brady, Provost of Trinity College near Edinburgh; Mr. Wm. Prestoun, vicar of Glammyss; Dean John Spendluff, monk of Dunfermline; Wm Oliphant; and John Barbour, laymen: Jas. Graye, M.A., clerk S. And. d[illegible] N.P. A.I. and R.a. (*H.*)

Round seal gone.

269. 26th Oct. 1503. Reversion, in vernacular, by Jhonne Olyphant of Kelly knycht to Jhonne lord Hay of Yhestir of an annualrent of 40 marks from the said lord's lands of Admure, Perthshire, granted by him for the secure payment of fyve hundreth pund usual mone of Scotland for the completyng of mariage callit spousal eftir the curtasy of Scotland betuix Wilzame Olyphant my sone and apperand are and Esabell Hay douchtyr to the said lord, whenever he shall pay the said sum of £500 for redemption of an annualrent of 40 marks from the Master and Bedmen of Sanct Paulis Werk in Edinburgh: to be paid as follows, £100 on S. James Altar in S. Giles Kirk Edinburgh for resignation of 8 marks, and so forth: At my propir dwelling place of Kellye, 26 Oct. 1503: Witnesses, Geo. Strang of Balkesky, John Abyrcrummy, Wilzame Olyfant my sone and apperand are, Waltyr Olyfant, Steyn of Crake, Symon Geddas, Jhone Geddas, Thomas Hay, burgessis in Edinburgh, Schir Wilzame Malvil chaplane, Schir Alexander Romannos notar publict, and Alexander Trottar. (*H.*)

Seal appended, in fair condition.

270. 15th February 1503/4. Letter of Regres in vernacular, by King James IV. narrating that John Lord Hay of Zester has sold under Reversion his quarter of the lands of Polgavy lying in the Sheriffdom of Perth to David Maxwell of Polgavy, to be held of the King in ward and relief, nevertheless the King promises that whenever the said lands are fully redeemed by the said John his heirs and assignees that he shall have free and full regres and ingres to the said lands, to be held of the King and his successors, as heritable tenants. Given under the Privy Seal at Edinburgh 15th February 1503. (*M.*)

Seal gone.

271. 19th March 1503/4. Charter by Robert Archbishop of Glasgow, Baron of the white barony of Eddilstoun, and Lord superior of Windelawis, in favour of Martin Balkasky burgess of Peblis and Cristine Mordachstoun his spouse and the survivor of them, in conjunct infeftment and the heirs lawfully gotten or to be gotten between them, which failing to the lawful and nearest heirs whatsoever, of the ½ land of Windelawis lying in the said white barony of Eddilstoun and shire of Peblis on Resignation by Marion Hamiltoun. Holding of the granter and his successors in fee and heritage for ever. At Edinburgh 19th March 1503. Witnesses Schir Andro Marschal, chamberlain of Glasgow, Sir John Rankin Chaplain and John Heriot. (*M.* and *H.*)

Seal of granter gone, but his signature, "Robertus glasgis archieps," appears.

272. 20th March 1503/4. Instrument narrating that John Lord Haye of Zhestir asked the writer Sir Andrew Zonge, chaplain, if he were Commissary of Stobo; and, upon his replying in the affirmative, stated that his predecessors, lords of Zhestir, had founded a chapel in Westerhoprew of S. Michaele, mortifying to it certain lands and a manse for service there twice weekly for their souls, for which service the Vicar of Stobo holds these lands, which services the Vicar neither celebrates nor causes to be celebrated; and asked that an Inquest should investigate the matter; to whom the writer replied that the Inquest found that for the past 7 years services had not been held by the Vicar, and when the Curate of Stobo celebrated in the said Chapel then there was no divine service in the parish kirk of Stobo: Done in the Cemetery of Stobo, 9 a.m. 20 March 1503, after the computation of the Scottish Kirk: Witnesses, Gilbert Barde of Posso, Wm. Barde, Adam Waiche, Thos. Tuedy, and Wm. Tuedy in Glenbrak: Andrew Zhoung, priest Glasg. dio., N.P. I. and R.a. (*H.*)

273. 15th April 1504. Instrument of Sasine by John Levingtoune, baillie of Edinburgh, to Alex. Andirsone as son and heir of um. Wm. Andirsone, burgess of Edr., of his land, high and low, lying (in) the tenement of um. Pat.

Balbirni on the S. side of the High St. below the Netherbow of Edinburgh, between the land of um. Thos. Ednahame on S., land or house of said um. Patrick on N., land of um. Rolland Turnbile on W., and entry (transitus) of the said tenement on E.: and also of his father's other land, fore and back, high and low, on the W. side of the entry of the "venella de Sanct Mary Wynd," between the land of um. Rob. Lamb on N., land of Wm. Scheirsmith on S., the said vinell, lands of um. Thos. Kemp and the Hospital of S. Marie in the said vinell, and other lands lying adjacent on the E., and lands of um. John Blytht and John Reidpeth on W.: Resignation of these said lands by Alex. Andirsone in favour of himself and his spouse, Elizabeth Borthwik, etc.: and Sasine thereupon: Done 11 a.m. 15 April 1504: Witnesses, Sirs Hugh Lausone and Wm. Lamb, chaplains; John Borthwik; Pat Neile; Wm. Quhite; Lancelot Andirsone; John Jarden: and Rob. Carmychell, serjeant: Henry Strathauchin, clerk, S. And. dio., N P. I. and R.a. (*H.*)

Seal of baillie appended in good condition.

274. 23rd April 1504. Charter by Sir John Haye of Beltoune to a noble and potent lord John Haye Lord of Zhester of his lands of the half of Beltoune in the Stewartry of March, except the house and manor of the nether town of Beltoune and the walkmill and corn mill, for a sum of money paid him in his urgent necessity: To be held by the said noble lord John Haye Lord of Zhester and his heirs in fee and heritage of the granter, etc.: Paying yearly at the Feast of SS. Philip and James one penny in name of blanche firm if asked: At Neidpeth, 23 April 1504: Witnesses, John Haye, Columba Dunbar, John Coqburne, Symon Geddes, and John Awchinlek. (*H.*)

Seal appended, in fair condition.

275. 23rd April 1504. Precept of Sasine following on the foregoing charter, direct to Thos. Haye, John Haye, and John Geddes: Neidpeth, 23rd April 1504. (*H.*)

Seal of Sir John Hay of Belton appended, in fair condition.

276. 25th April 1504. Discharge, in vernacular, by Baldreid Blakader knycht to John Lord Hay of Zester and his son Sir John Hay knt. of the sum of £100 by infeftment of lands in the Ethkermuire in full payment of £400 due him for the ward of Westbernyss and the Snayd and the marriage of John Cunninghame, heir of the same: Glasgow, 25 April 1504: Witnesses, Mr. David Cuninghame, canon and Official of Glasgow; Mr. John Blakadir, parson of Kirkpatrick Flemyn; John of Cokburne: and Henry Bowtoun. (*H.*)

Paper. Signed, "baldred blakader," seal impressed, much broken.

277. 4th May 1504. Instrument of appellation taken by John Lord Hai of Yhester and baron of the barony of Lyne, from the sentence of Robert Archbishop of Glasgow, anent a chaplanry founded in the church of St. Andrew of Peblis. Dated in the said Kirk 4th May 1504: Witnesses, Mr. Patrik Tuedy, vicar of Dunsiar, Master James Auchinmaid, Thomas Haw, William Dikesoun, John Car, Johne Hay, and Johne Moubrai—James Stanhous is notary. (*M.*)

278. 7th May 1504. Instrument narrating that in the Sheriff Court of Dumfries held in the Tolbooth of Edinburgh, 7 May 1504, before Wm. Simsone of Esterlochrisk, and John Inglis, one of the marshals of the King's household, Sheriffs of Dumfries "in hac parte" specially constitute by commission from the King, there compeared John Cunynghame of West Bernis, on one part, and John Lord Hay of Zestir and his son Sir John Hay of Beltoune knt., on the other; and there at the time of the serving of a brief of inquest impetrat by the

said John C. as heir of tailzie to his uncle um. Geo. Cunynghame of Beltoune in the lands and barony of Snaid, Dumfriesshire, the said Sir John Hay asked licence of the said sheriffs to permit William Lord Borthuik, the said John Lord Hay of Zestir his father, also the said Sir John and Mr. Jas. Henrisone, John Borthuik of Crukestoune, and John Crechtoune of Hartwod to object to the said brief, whom the said sheriffs admitted ; whereupon the said Sir John, asserting that the sheriffs were suspect and partial, demanded their purgation on oath, which they did although they had already done so in another court held in the Tolbooth ; whereupon the said Sir John and Mr. Jas. Henrisone his prolocutor produced a procuratory by Elizabeth Cunynghame daughter and heiress of the said um. Geo. C. of Beltoune, to compear before the said Sheriffs in a court held on the 15 March last and object to two brieves impetrat by the said John Cuninghame, in virtue of which procuratory the said Sir John and Mr. Jas. sought to be allowed to object to this present brief, Eliz. Cunynghame and Lord Hay offering to find caution ; but the said Sheriffs refused to receive the said procuratory, and caution, or to allow the above persons to object to the brief ; enjoined silence on them ; elected a jury to serve the brief, most of whom the said Sir John declared suspect and unfit because related to the said J. C. ; and imposed silence on the said Sir John, who protested that the said service should not be to the prejudice of John Lord Hay of Zestir, his father, Elizabeth Cunynghame, his mother, himself, and his heirs : Done in the said Tolbooth between 10 a.m. and 1 p.m. Witnesses, Jas. Logane, Sheriff depute of Edinburgh, Rob. Arnot, John Cokburne, John Gray, Alex. Thomsoun, John Lindesay, Thos. Prat, John Gibbir, serjeant and officer of the said court, and Mr. John Murray, N.P. : James Yowng, clerk S. And. dio., N.P. I. and R.a. (*H.*)

279. 10th May 1504. Instrument of Sasine by John Hay, son of um. Sir Wm. Hay of Tallo knt., following on No. 275 : Done at the head messuage of the half of Beltoune, viz. the South town or Overtown : Witnesses, George Hay, son of John Lord Hay of Zestyr ; Gavan Lumysdene ; Stephan Craike ; Symon Geddes ; Wm. Patonson ; Vedast Gresone, serjeant ; John Storye ; John Moubray ; and Thos. Rydpeth : Alex. Romannos, N.P. (*H.*)

280. 8th Nov. 1504. Precept of Sasine by John Lord Hay of Zestir, baron of the barony of Lyne and Hoprew, direct to Sir John Hay of Beltoun knt. and Mr. George Hay, narrating that in the Tolbooth of Peebles, 5th Nov. inst., before Martin Balcaskye, Sheriff depute, Thomas Hay, being of lawful age, had been served heir to his father um. Thomas Hay of Hoprew, son and late heir of the said Lord Hay, in the £20 lands of Wester Hoprew, except the lands reserved to the said Lord, viz. the Tarthe medow and the Haw medow ; and also in £20 lands of Fulzart, Schelchop, and Wintyrhope on the south side of the Water of Megot, all lying in the said barony, which lands are held in chief of the said Lord Hay as superior, and had been in his hands since the death of Elizabeth Borthwik mother of the said Thomas ; and directing them to give sasine of the said lands to the said Thomas Hay : Zestyr, 8 Nov. 1504. (*H.*)

Seal appended, damaged.

281. 9th Nov. 1504. Instrument of Sasine, following on No. 280, by Mr. George Hay to Sir Alex. Bothuik knt., attornay of Thos. Hay, son and heir of um. Thos. Hay of Hoprew, the son and late heir of John Lord Hay of Zestir : Done in the usual method and by shutting the doors after the said Sir Alex.'s entrance into the houses of the head messuages of the lands of Westerhoprew, Fulzart, Schelhop, and Winterhop, 8 a.m. and 1 p.m., 9 Nov. 1504 : Witnesses, Gawin Lummisdane, Thos. Patonsoune, Wm. Huntar, John Story, Rob. Mosman, John Tod, Geo. Cokburne, Rob. Setoune, and Rob. Pentland : Rob. Montfode, priest S. And. dio., N. P., A. and I.a. (*H.*)

282. 13th December 1504. Instrument of Resignation by Master Patrick Twedy of the lands of Acolfeld lying on the south side of the Water of Gillisburn, in the shire of Peblis, in the hands of Ade Peblis of Cruxtoun, superior thereof. Dated 13th December 1504. Witnesses, Sir Andrew Tayt presbyter, John Alan, Alan Lausoun and Herbert Twedy—Thomas of Crawfurd is notary. (*M.*)

283. 18th December 1504. Precept by John Gledstanys of Hundwellishop and Coklaw, superior of the lands underwritten, directed to William Bele burgess of Peblis, William Dicsoun and John Michelsoun, his bailies for infefting Jonet Myddilmaist relict of Gilbert Wilhamson burgess of Peblis, in the lands of Acolfeld, lying in the shire of Peblis, on the south side of the Water of Gillisburn, on Resignation by Ade Peblis of Cruxtoun. At Jedworth 18th December 1504. (*M.*)

Seal gone: no witnesses.

284. 2nd Feb. 1504/5. Notarial instrument embodying Decreet Arbitral, in vernacular, dated at the King's Palace Edinburgh, 2 Feb. 1504, by Andrew and David Bishops of Moray and Argyle (Lismore), David abbot of Cambuskenneth, Mr. David Spens Parson of Flisk, and Alex. Lord Hume Great Chamberlain, overman, in the dispute between John Lord Hay of the Zestir, Elizabeth Cunynghame his wife, and their son Sir John Hay of Beltoun knt. on one part and John Cunynghame of the West Barnis on the other anent the barony of the Snade and lands of the West Barnis, viz. Westflat, Seflat, Tempilland, and Gallowsyde, and all claims concerning Phlip of Cunyngame, his son George, and the laif of the folkis beand in the feild witht the said laird of the Westbarnis at the Snade contrar the said Schir Jhone Hay knycht, Decerning that John Cunyngame of W. B. shall resign the barony of Snade in the King's hands in favour of Sir John Hay, etc.: That the said Sir J. H., his father and mother, their heirs, etc. shall leave J. C. in peaceable possession of Westbernis and renounce any claim they may have: Item Sir J. H. to pay J. C. 650 marks for his resignation of Snade, or infeft him in £21 : 13 : 4 worth of lands in Snade under redemption: Item Sir J. H. to forgive Philip Cunyngame and his son George for their upholding J. C. at Snade: Item J. C. to refund to Sir J. H. everything he has received from Snade since his entry and free it of all tacks, etc.: Item Sir J. H. at the special request of the Abbot of Cambuskenneth, to confirm 5 year tack to Philip Cunynghame: Item Sir J. H. not to molest J. C. in the matter of the pretended right of Sir Baldreid Blacater to the Ward of the said J. C.: Item Party contravening the finding of Arbiters to pay to the Metropolitan Kirks of S. Andrews and Glasgow, 500 marks, to the King, 500 marks, and to the Party keeping faith 500 marks: Instrument taken 5 p.m. and dated same day and place as Decreet: Witnesses, Sir Simon Prestoun of Craigmillar knt., Wm. Douglas of Muffat, Mr. Jas. Merchamstoune, vicar of Largo, John Park, and Thos. Nesbet, laymen: John Sanchar, M.A., priest Aberdeen dio., N. P., I. and R.a. (*H.*)

Five tags. Two seals slightly broken still appended to the 1st and 2nd tags, both the round seal of Andrew Bishop of Moray and Commendator of Pittenweem and Coldingham, for himself, and secondly for the Bishop of Argyle because he had not his with him.

285. 16th Feb. 1504/5. Instrument upon the presentation by Sir Alexander Romannos of a Bull by Pope Julius II., providing him to the Rectory of Lyne in the diocese of Glasgow, to Sir Thomas Zounge provost of the College Kirk of Bothanis, as one of the persons to whom it was addressed; and Institution and possession given by delivery of the book, chalice, and ornaments of the Altar to the said Sir Alex. by Sir Thos. Z.: Done in the said Kirk of Lyne at time of High Mass in hearing of the congregation, 10 a.m., 16 Feb. 1504: Witnesses, Geo. Hay, Symon Geddas, Thos. Patricij, John Bele, Sir David Tw[illegible] curate, and Sir Jas. Stannous vicar and N.P.: Barnard Marschale, priest S. And. dio., N. P., A. and R.a. (*H.*)

286. 7th March 1504/5. Extract by Mr. Gavin Dunbar archdeacon of S. Andrews, clerk of Rolls Register and Council, of a Decreet, dated Edinburgh 7 March 1504 by the Lords of Council continuing to 16 July the action by Sir John Hay of Beltoun knt., as assignee of Sir Baldred Blacatare, against Philp of Cunynghame for the rents of Birkschaw and Sluchburg in the barony of Snade; Rob. Fergussoune elder for the rents of Brauchanside in the said barony; and Sir Baldred Blacatare of Wodhall knt. to warrand him in the ward of Snade: and Ordaining Sir J. H. to produce an act anent the nonentry of Snade, and to summon the witnesses again; and ordaining Philp C. to produce the extract from the Rolls stating that Snade is held in blanche firme: Sir Baldred Blacatare undertook to warrand the said Sir J. H. in the Ward of Snade as free as he had held it himself. Endorsed. Edr. 17 Janry. 1505 1505/6) Continued to 25 Janry. in so far as concerns Ferguson, who compeared by his procurator Mr. Hew Giffert. (*H.*)

287. 24th May 1505. Charter under the Great Seal to Sir John Hay of Beltoune knt. of the lands and barony of Snayd, Dumfriesshire, which pertained to John Cunynghame of Westbernys and were resigned by him into the King's hands: To be held in fee and heritage of the King by the said Sir John and his heirs: Doing therefor the service due and wont done of before: At Edinburgh 24 May 1505: Witnesses, Wm. Bishop of Aberdeen, Keeper of the Privy Seal; Archd. Earl of Ergile, Lord Campbele and Lorne, Master of the Household; Pat. Earl of Boithuile, Lord Halis; Matthew Earl of Levenax, Lord Dernlie; Alex. Lord Hume, Great Chamberlain: Andrew Lord Gray, Justiciar; Jas. Abbot of Dumfermling, Treasurer; and Mr. Gawin Dunbar, Archdeacon of S. Andrews, Clerk of Rolls, Register, and Council. (*H.*)

Fragment of Great Seal appended.

288. 24th May 1505. Precept of Sasine from Chancery, following on the foregoing Charter, direct to the Sheriff of Dumfries and his baillies, and also to John Creichtoune of Hertwod, Rob. Creichtoune, John Cottis, Geo. Creichtoune, and Thos. Kyd, Sheriffs of Dumfries "in hac parte": Edinburgh, 24 May 1505. (*H.*)

Fragment of quarter seal appended.

289. 26th June 1505. Instrument of Sasine following on No. 288 by John Cottis to Robert Crichtoun of Kyrkpatrik, attornay for Sir John Hay of Beltoun knt., in virtue of a power of attornay granted by the King, at Are 16 June a.r. 18 (1505), under the Privy Seal to Rob. Crechtoun, John Crechtoun, Geo. Crechtoun, Duncan Fergussone, and Matthew Fergussone to act for the said Sir J. H.: Done at the manor of Snaide, 9 a.m. 26 June 1505: Witnesses, Cuthbert Crechtoun of Crawfurdstoun, Andrew Rorysoun of Bardarach, John Kyrkhauch of Scaustoun, John Rorysoun, Cuthbert Rorysoun, Pat. Blak, John Crechtoun, and Sir Stephen Amuligane, chaplain: John Walker, priest of Glasgow dio., N.P. A. and I.a. (*H.*)

290. 16th Aug. 1505. Instrument of Resignation by John Lord Hay of Zeistire of £12 of lands in the barony of Snade, viz. £3 of Lagane, £1 Brakansyde, £2 Auchinfatrik, £2 Stratht, £4 Makkulstoun and Bellyquharn, in favour of Sir John Hay of Snade knt., superior of the said lands: At the town of Zeistir, 7 a.m., 16 Aug. 1505: Witnesses, Wm. Hay of Tallo, John Hay, John Cokburne, John Mowbra, Alex. Lindsay, and David Broun: Barnard Marschale N.P. (*H.*)

Seal of Lord Hay appended, in poor condition.

291. 23rd Aug. 1505. Confirmation under the Great Seal of a Charter by Sir John Hay of Snaid knt. to John Cunynghame of Westbernis of the following

lands, £4 land of Makcuylstoun, £3 of Lagane, 20sh. of Bracanside, 40sh. of Auchinfathrik, 40sh. of the Strath, 10sh. of Wodend, 40sh. of Dardarrach, extending to £14, 10sh. of land of old extent in the barony of Snaid: Stirling, 22 Aug. 1505; witnesses, Andrew Bishop of Moray, David Abbot of Cambuskynneth, Chas. Geddes of Rachane, John Geddes, Mr. John Sauchy, Walter Chepman, and John Bannatyne, notaries public: Confirmation dated Stirling, 23 Aug. 1505: Wm. Bishop of Aberdeen, Keeper of the Privy Seal; Archd. Earl of Ergile Master of the Household; Pat. Earl of Boithuile; Matthew Earl of Levenax; Alex. Lord Home, Great Chamberlain; Andrew Lord Gray Justiciar; and Mr. Gawin Dunbar, Archdeacon of S. Andrews, Clerk of Rolls, Register, and Council. (*H.*)

Fragment of Great Seal appended. Document cut and endorsed "Cancellat."

292. 23rd Aug. 1505. Reversion, in vernacular, by John Cunynghame of Westbernis, following on No. 291, in favour of Sir John Hay of Snayd knt. for payment of 650 marks upon the altar of S. James in the College Kirk of S. Giles, Edinburgh: Stirling, 23 Aug. 1505, same witnesses as in No. 291, Sir John Hay's charter. (*H.*)

Seal of J. C. appended in fair condition.

293. 23rd Aug. 1505. Letter of Regression under the Privy Seal to Sir John Hay of Snaid knt. following on No. 292: Striueling 23 Aug. 1505, a.r. 18. Signed by the King. Privy Seal appended complete. (*H.*)

294. 15th Janry. 1505/6. Charter by Sir John Hay of Snaid knt. to Elizabeth Creichtoun, daughter of um. Rob. Creichtoun of Kirkpatrick, and the heirs lawful of her body, whom failing, her brother Rob. Creichtoun of Kirkpatrick and his heirs, of 2½ marklands of old extent in the barony of Snaid, once held in assedation by Pat Amuligane, Cuthbert Amuligane, and Thos. Makrone, and now occupied by Adam Gordoun, sold for a certain sum of money paid by the said Elizabeth: To be held in fee and heritage for payment of one silver penny yearly in name of blanche firm: At Snaide, 15 Jan. 1505: Witnesses, Cuthbert Creichtoun of Crawfurdstoun, Geo. Creichtoun, John Coyttis, and Adam Portare. (*H.*)

Seal of J. H. appended slightly broken. Document cut and endorsed "Cancellat."

295. 16th Janry. 1505/6. Precept of Sasine following on No. 294 direct to John Crechtoun of Hartwoid, Cuthbert Crechtoun of Craufurdstoun, John Cotis, Malcolm M'Canys, Thos. Craik, and Geo. Cretoun: At Snaid, 16 Janry. 1505. (*H.*)

Endorsed "Cancellat," and cut.

296. 31st January 1505/6. Letter of Procuratory by John Lord Hay of Zeistire to his sons Schir Johnne the Hay of Beltoun, Knycht, (and) George Hay; Wilzame Hay of Tallo and Thomas Hay in Morame, authorising them to compear before the King and on his behalf to ask His Majesty to let to borcht the lands and barony of Olyferescastele with pertinents lying in the sheriffdom of Peblis; recognoscit in the King's hands, and to offer to do therefore to his grace what he should do of law, use and custom of this Kingdom. At Zestire 31st Janueir 1505. Witnesses, Alexander Lindsay, Johne Hay, Symon Geddas and James Sinclere. (*M.*)

Paper. The granter's seal attached, much broken.

297. 5th Feb. 1505/6. Licence in vernacular under the Privy Seal to Sir John Hay of Snaid, knt., to wadset any 12 marks worth of land of old extent

within his barony of Snaid, because the said John tends to the said alienation for haysty payment to be made to ws of certane soumez: Edinburgh 5 Feb. 1505, a.r. 18. (*H.*)

Signed by the King. Fragment of Privy Seal appended.

298. 25th Feb. 1506/7. Letters under the Signet, following on a Decreet by the Lords of Council decerning Rob. Fergussoun elder, in the Snayd, through his procurator Wm. Dalzell of that Ilk, to pay to Sir John Hay of the Snayd knt. the sum of £40 for the rent of Brakanside in the barony of Snayd for the space of 13 years, pertaining to the said Sir John by reason of the gift of the nonentres. To the Sheriff of Dumfries and his deputies and David —— and Richard Makmanniddy messingers to distrenge the said Rob. Fergussoun's lands for payment of the said sum: Edinburgh 25 Feb. a.r. 19. Signed "Anderson." (*H.*)

Signet impressed on the paper and protected by a plaited ring of rash imbedded in the wax.

299. 31st March 1507. Certificate of Apprising, in vernacular, by John of Crechtoun of Hartwod, Sheriff depute of Dumfries, following on decreet of the Lords of Council to distrain the lands and goods of Rob. Fergussoun, elder in the Snayd, for £40 due to Sir John the Hay of Snayd knt., that being unable to find any movables he caused Thos. Craik kingis seriand to summon a court to meet on the lands of Bracansid, pertaining to the said Rob. F., in the barony of Snayd, on the 27 March 1507; and caused John Durans, king's serjeant, on 13 March to make proclamation of the above at the market cross of Dumfries: and summoned the following jurors, Jhonne Fergussoun of Corigdaurach, Jhonne of Setlingtoun of the Stanehous, Matho Vilsoune of Birkconwel, Malcolme Makgachane of Dalquhot, Stewin Kirkhauch of Glenesling, Jhonne of Kirkhauch of Skalistoun, Gilbert Grersoune in Capyrath, Duncane Fergussoune, Donald Grersoun, George of Crechtoun, Jhonne Grersoune in Kirkbryd, Petir Denhome of the Creaquhane, Jhonne of Maxwell, Jhonne Makmurdy, Patrik Stewart, Jhonne of Glencors younger, and Jhonne of Kirkhauch of Soudonwell, who met on the 27 March and apprised 20sh. worth of the lands of Bracansyde of auld extent, lying rinrige through the town, except the chemis and mansion, for the said sum of £40: Thereafter the said Sheriff depute, in presence of Rob. Fergussoun son and heir of the said R. F., offered the said 20sh. of land for sale, but, no buyer appearing, assigned them to the said Sir John Hay: Dumfries, 31 March 1507. (*H.*)

Seals of John Crechtoun and Robert Crechtoun still appended, slightly damaged.

300. 29th April 1507. Letters under the Signet to the Sheriff of Dumfries and his depute following on No. 299, and ordaining, gif na man wil tak thyr forsaidis landis for the soum that tha ar apprisyt fore, that the lands of Bracanside be assigned to Sir John the Haye of Snaid knight, superior and creditor, to remain with him till payment: Edinburgh penult April 1507. Signed "Nudrie." (Paper.) (*H.*)

301. 29th Oct. 1507. Instrument of Sasine given by Sir John Hay of Snaid knt. of 30sh. of lands of Normanstoune in the barony of Snaid, first rented by um. Columba de Dunbar, to Gilbert Wylsoun in Gordounystoun, reserving the mill of Snaid on said lands to the said Sir J. H.: Done at the dwelling place of the said Col. de Dunbar, 11 a.m., 29 Oct. 1507: Witnesses, John Cokburn, John Cotis, Wm. Lowis, and Wm. Greirsone: John Makhome, priest Glasg. dio., N.P. A. I. and R.a. (*H.*)

302. 29th Oct. 1507. Instrument of Sasine given by Sir John Hay of Snaid of the 30sh. lands of Normanstoune in the barony of Snaid to Gilbert

Vilsone, dweller in Gordonstoune: Done at the head messuage of the said lands, 5 p.m., 29 Oct. 1507: Witnesses, Cuthbert Herone, John Cokburne, John Cottis. Thos. Crayk, and Sir John Mchome: John Macnod, priest of Candidecase dio., N.P. A. and R.a. (*H.*)

Document slashed to show cancellation.

303. 10th Nov. 1507. Instrument of Resignation by John Lord Hay of Zestir of the lands of the half of Beltoune in favour of Sir John Hay of Snaid knt.: Done in the Chapel of the Castle of Zestir 4 p.m. 10 Nov. 1507: Witnesses, Mr. Geo. Hay, Wm. Hay of Tallo, John Cokburne, Sir John Fyldar, chaplain, and Wm. Hay: Alex. Romannos, N.P. (*H.*)

Seal of Lord Hay gone.

304. 1507. Instrument of Resignation by William Bell, burgess of Peblis, of the west half of the town of Lyne, which he had by grants from John Lord Hay of Zestir and John Hay of Snaid, Knight, his procurator, in the hands of the said Lord Hay. Dated —— 1507. Witnesses, James Lowis, Johne Cokburne, Johne Lokart, Johne Bennet, Johne Bell, John Brewhows, Patrick Stanhous is notary. (*M.*)

305. [1507.] A tenement of land provest (*sic*) be the bailleis of Hadingtoun lyand on the north syde of the tolbuytht betuix a land of Johnne Halyburtoun on the eist pairt and a land of umquhile david Greinlawis on the west, to George Sinclair of Blanes for ane merk annuell yeirlie out of the said tenement the yeir of God j^{m} v^{c} and sevin yeirs.

Ane uthir tenement of land provest (*sic*) be the bailleis of Hadingtoun lyand on the southsyde of the tolbuytht gait betuix a land of Williame Sinclare on the west pairt and a land of Richard Crumby on the eist pairt, to George Sinclare of Blanss for four schillings annuell j^{m} v^{c} and sevin yeirs. *Notes at the end of a rental of Haddington of date c.* 1560. (*H.*)

306. 7th July 1508. Charter by Thomas Hay, heir of the late Sir Nicholas Hay Prebendary of Bothanis, in favour of John Lord Hay of Zestir, of an annual-rent of 4 merks, furth of the lands of the late Thomas Newtoune, lying in the west end of the town of Newtoune and on the north part thereof, within the Constabulary of Haddington and shire of Edinburgh: Holding to the said John Lord Hay his heirs and assignees of the said Thomas Newtoune, in fee and heritage under reversion as before: At the Castle of Zestir 7th July 1508: Witnesses, Sir Thomas Hay of Hoprew, Knight, William Hay of Tallo, John Hay, Sir John Lummysdane, Symone Geddas, George Dunbar, Sir John Fyldar, chaplain, John Mowbray and Sir Alexander Rommanos, Notary public John Lammysdane of Glygorno and Sir George Kellye. (*M.*)

The seal of the granter, in good condition, is appended.

307. 7th July 1508. Instrument of Sasine in terms of Precept (see following entry): Dated 7th July 1508. Witnesses, Sir Thomas Hay of Hoprew, Knight, George Hay, William Hay, Symone Geddas, George Dunbar, Alexander Lyndesay and Thomas Bee, Alexander Romannos is notary. (*M.*)

308. 8th July 1508. Precept by Thomas Hay, heir of the late Schir Nicholays Hay prependary of Bothanis, direct to William Hay of Tallo, George Hay, Thomas Hay in Morhame, and William Dalrumpil his bailies, following No. 306: Dated at Zestyr 8th (*sic*) July 1508. (*M.*)

Seal of granter slightly broken.

309. 23rd October 1508. Retour of Inquest held in the Tolbooth of Haddington on 23rd October 1508 before John Hepburne of Rollastone, Sheriff Depute of Edinburgh, within the Constabulary of Haddington, by William Bailzhe of Lammyntone, William Dowglas of Quhittyngeame, John Cokburne, son and apparent heir of John Cokburne of Ormestoune, Alexander Wawane of Steynstoune, Patrik Hepburne of Est Crag, William Newtounc of that Ilk, George Cokburne, Mathew Abirnethy, James Browne of Blakburne, Archibald Chyrnesyde, Richard Morhame, Johne Cokburne, Gilbert Hume, George Sinclar of Blans and Walter Zule of Garmyltoune, finding that John Lord Hay of Zestir died last vest and seised in the half part of the barony of Zestir, with castle, fortalice, mansion, mill, and advocation and donation of the kirks and chaplanries thereof, half part of Park and half part of the Manys of Gamylstoune, of the lands of Gyffardgate and superiority thereof, the superiority and lands of Ledingtoune worth of old £20 per an. now £40; and half part of the barony of Duncanlaw formerly worth £10 now £20 (except the Kirklands mortified); two parts of the barony of Morham with castle, fortalice and mill, lands of Plewfeld, two parts of the Manys and husbandlands thereof, formerly worth 20 marks now 40 marks, and the lands of Uxtone formerly worth 20 marks now 40 marks; and Blans, formerly worth £2 now £4; all lying in the constabulary of Haddington, and that Sir John Hay of Snaid, Knight, is nearest and lawful heir to the said John Lord Hay his father in said lands, which had been in the King's hands for the space of one month from the death of said John Lord Hay. (*M. and H.*)

Seal of J. H. of R. broken, the others gone.

309A. 9th Nov. 1508. Imprimis ane seasing in favouris of umqle Jon. hay of Snaid knicht as air to umqle. Jon. lorde hay of yestar his father of the lands and barony of lochquharrat with the pertinentis quhilk seasing proceids upon a precept following upon a retour furth of the Chancellarie daittit the 9 November 1508: Alexander romanno nottar hereto. *No.* 1, 1663 *Locharret Inventory.* (*H.*)

310. 10th November 1508. Sasine following upon Precept from Chancery directed to William Bell and John Lyntoune burgesses of Peblis, and sheriffs of Peblis "in hac parte" for infefting John Hay of Snaid, Knight, as heir to the late John Lord Hay of Zestyr his father, in the lands of the barony of Lyne and Hoprewis, with pertinents viz. Lyne, Hoprewis, Edstoune and Megoth, relief £80; the lands of Jedworthfeld, with the office of the Sheriff of Peblis, duplication of blanch firm 2 silver pennies: Precept dated at Are 31st October (the 21st year of the King's reign): Sasine dated 10th November 1508: Witnesses John Lyntoun the other Sheriff, James Spendlaw, Robert Alexander, John Alexander, Thomas Nobil, and John Bennat seriand, John Cokburn is attorney of said John Hay of Snaid John Dykysoune is notary. (*M. and H.*)

The seal of said William Bell is appended, and in good condition.

311. 16th May 1509. Sasine on Precept of Clare Constat by George Lord of St. John of Torphichine directed to John Hepburn of Rollastoune, John Polwort, and John Kirk bailies, for infefting John Lord Hay of Zestyr as heir of the late John Lord Hay of Zestyr his father, in two temple lands with the pertinents, of which one lies in the barony of Duncanlaw and Constabulary of Hadingtoune and the other in the barony of Lyne and shire of Peblis. Precept dated at Torphichine 18th April 1509. Sasine dated 16th May 1509. Witnesses, William Hay of Tallow, James Geddas, William Fyildar, George Dewar, and William Crosar, serjeand. Alexander Romannos is notary and William Lowis is attorney for the said John Lord Hay of Zestyr. (*M. and H.*

312. 11th May 1509. Instrument of presentation by John Lord Hay of Zestir of a brief of sasine from Chancery to George Abbot of Arbroath and the Abbot's

refusal to execute said brief because the said Lord produced no other evidents: Done in the College Kirk of S. Giles, Edinburgh, 6 p.m., 11 May 1509: Witnesses, Adam Earl of Boithwell, Wm. Earl of Erroll, Lord Abernethy of Saltoune, John Hay and John Cokburne, esquires: Alex. Romannos N.P. (*H.*)

313. 12th May 1509. Precept of Sasine by George Abbot of the Monastery of S. Thomas the Martyr of Arbroith direct to Alex. Quhitelaw, Peter Culquhone, John Cokburne, and Peter Clyid following on brief from Chancery on the service of Sir John Hay of Snaid knt. as heir to his father um. John Lord Hay of Zester in the lands of Athkermure, in the lordship and regality of Arbroith, and shire of Lanark: Edinburgh, 12 May 1509. (*H.*)

Vesica-shaped seal of office of the Abbot appended, slightly broken and defaced.

314. 29th May 1509. Instrument of Sasine, following on No. 313, by Alex. Quhitelaw to John Cokburn attornay of John Lord Hay of Zestyr: Done at the principal messuage of Athkermure, viz. the Manor of Allantoune, 11 a.m., 29 May 1509: Witnesses, Adam Malvynne, Thos. Bride, Walter Caddar, Pat. Martynne, Geo. Russal, Rob. Pynkyrtoune, Wm. Robisoune serjeant: Alex. Romannos N.P. (*H.*)

315. 3rd Sept. 1509. Instrument of Sasine by Alan Trakware following on and narrating a Precept of Sasine, dated Zestir 20 April 1509, by John Lord Hay of Zestir direct to Wm. Hay of Tallo, John Cokburne, and Alan Trakwar for his cousin John Hay, dweller in Uxstone, son of um. Sir Wm. Hay of Tallo knt., of the half of a third of the lands of Uxstone, in the constabulary of Haddington, which once belonged to Ric. Crumbye burgess of Haddington, reserving the liferent thereof to Margaret Mowbray, mother of the said John Hay: Done 8 a.m. 3 Sept. 1509: Witnesses, John Hay, Jas. Qwhyntyne, John Hendersone, Nicholas Qwhyntyne, and John Boltone serjeant: Alex. Romannos N.P. (*H.*)

Endorsed "Cancellat," and cut.

316. 6th Oct. 1509. Commission under the Quarter Seal, at the petition of Sir John Hay of Snaid and his mother Elizabeth Cunynghame, spouse of um. John Lord Hay of Zestir Sheriff of Peebles, because the office of Sheriff of Peebles was in the King's hands through the death of the said Lord, appointing Sir Wm. Cokburne of Scraling knt., Alex. Lawder provost of Edinburgh, and Wm. Bell, and John Lyntoun burgesses of Peebles Sheriffs of Peebles "in hac parte" to hold courts and execute brieves of Inquest and terce impetrat by the said John and Elizabeth anent the lands etc. of the said Lord: Edinburgh, 6 Oct. a.r. 21 (1509). (*H.*)

Fragment of Quarter Seal appended.

317. 7th Oct. 1509. Precept under Testimonial of the Great Seal, directed to the sheriffs and bailies of Peebles and Edinburgh within the Constabulary of Hadingtoun, and to John Cokburn, George Smalum, Symon Geddes, and John Hay, for infefting John Hay, son and apparent heir of John Lord Hay of Zestir, Elizabeth Douglas, his spouse, and the survivor of them in conjunct infeftment in the 20 pound lands of Wester Hoprew. 20 pound lands of Fulzard, Schelehope and Winterhope with pertinents, lying on the south side of the Water of Megot, in the barony of Hoprew, and shire of Peblis: and 20 merk lands of Ugstoun, with the pertinents, lying in the Constabulary of Hadingtoun and sheriffdom of Edinburgh; Reserving to the said John Lord Hay "le tart medow et hall medow," lying in the barony of Hoprew: And reserving the free tenement of e said lands of Ugston to the said John Lord Hay during the lifetime of lizabeth Lady Yestir his mother. At Edinburgh 7th October 1509. (*M.*)

Seal gone.

318. 1st Feb. 1509/10. Charter by John Lord Hay of Zestyr in favour of his servant John Wayk burgess of Hadingtoune, of that croft of land with pertinents, commonly called "le peppyr croft," lying in the south part of Gyffurdgat on the west of the High Street, between the lands of Ledingtoune on the south, and the vennel that leads to the water of Tyne on the north parts; in the shire of Edinburgh and Constabulary of Haddington—Holding of the granter and his heirs in fee and heritage for ever: Paying yearly one pound pepper, and 6 shillings and 4 pence scots to the prebendaries and chaplains of the Collegiate Kirk of Bothanis: At the Castle of Neidpeth 1st February 1509. Witnesses, Sir John Hay of Hoprew, Knight, the granter's son and heir apparent; John Hay of Ugstoune; John Cokburne; William Hay; John Newtoune: William Lowis; and Sir Alexander Romannos chaplain and notary. (*M.*)

Seal of granter in good condition.

319. 27th March 1510. Instrument of Sasine given by Robert Cunyngame of Polmess of a merkland of Glene, viz. in lee Farnhawch, Spetallsyd, and le Fluris, to Thos. Balkeskie as heir of his father um. Martin Balkeskie: Done 8 a.m. 27 March 1510: Witnesses, Geo. Middilmest of Grestoun, John Balkeske, Rob. Atchensoun, John Hammiltoun, and Jas. Williamsoun: Pat. Stanhous, priest Glasg. dio., N.P. A.a. (*H.*)

320. 21st May 1510. Bond of Manrent by William Vach of Dawyke to John Lord Hay of Zestir, Sheriff of Tuedal, to be his man and servant of special retinue, in peace and war, and to supply him with his houses, strengths, kyn, friends, &c., for all the days of his life; and the said Lord has given to the said William his letter of defence: At Neidpeth 21st May 1510: Witnesses, schir John the Hay of Hoprew, Knycht, Wilzame Cokbourne of Henderland, John of Cokburne, Symone Geddas, Thomas Hay, Alexander Lyndesay, Wilzame Grer and schir Alexander Romannos notary public. (*M.*)

Seal of granter in good condition.

321. 15th Jan. 1510/11. Bond of Manrent by William Cokburne of Screllyng, Knight, to John Lord Hay of Zestyr sheriff of Tuedal, binding himself to serve the said Lord Hay in peace and war and to supply him with his houses, strength, money, kyn and friends for the space of five years from the date hereof: At Edinburgh 15th January 1510: Witnesses, Johne of Creichton of Hartwod, John Elphystoune, Patryk Coburne burgess of Hadingtoune, and Robyne Roxbrughe. (*M.*)

Seal of granter complete.

322. 24th April 1511. Precept from the King on letters patent from Mr. Patrick Twedy Commissary of the jurisdiction of Mener, to the Sheriff and bailies of Peblys, to capture and imprison John Inglys of Murderstoun, under sentence of excommunication of the Church, for contempt of the same. At Edinburgh 24th April 23rd year of the reign of King James IV. 1511. Tag marked "Captio etc." (*M. and H.*)

Seal gone.

323. 7th October 1511. Precept of Clare Constat by John Lord Hay of Zestyr to Thos. Hay his baillie in Moram and also Wm. Hay and Symon Geddas his baillies "in hac parte" in favour of Margaret Quhitlaw as daughter and one of the heirs of um. Richard Quhitlaw of Popill in her share of a husbandland in the barony of Moram. (*H.*)

Granter's seal appended, in fair condition.

324. 18th Dec. 1511. Bond of Manrent by Patrick Portuus of Hakschawis to John Lord Hay of Zestir, to be his man and servant of special retinue, in peace and war, supplying him with houses, men, &c., during his lifetime, and the said Lord has promised to maintain and defend the said Patrik in all his just quarrels, &c. : At the Neidpeth 18th December 1511 : Witnesses Johne of Cokburn, Symon of Geddas and Schir Alexander Romannos. Signed Pat'k portuus wt. my hand at ye pen. (*M. and H.*)

Seal gone.

325. 20th Dec. 1511. Charter by John Tuedye of Drummelzer in favour of James Tuedye his son and heir apparent and Elizabeth Hay his spouse, and the heirs lawfully procreate or to be procreated between them whatsoever, of his lands of the West town of Drummelzor lying between Mekylhopburne, on the east, and Hopcartaneburne on the west, with Mansion of the West place with Mill thereof, also 6 acres of meadow land lying on the east part of Drummelzor, on the north part of the meadow thereof; Reserving to the granter and his heirs the walk mill with Mansion, yard, &c., lying in the barony of Drummelzor and sheriffdom of Peblis : Holding of the granter in fee and heritage forever, for yearly payment of a red rose at the feast of the nativity of St. John the Baptist, in name of blench ferme if asked. At Peblis 20th December 1511. Witnesses, James Tuedye of Quhittislaid, Sir John Hay of Hoprew, Knight, Friar Thomas Lowis minister of the Holy Cross of Peblis, Sir James Stannos Dean of the Christianity of Peblys, John Hay, William Vach of Dawik, William Vach of Kyngsyid and Sir Alexander Romannos. notary public. (*M. and H.*)

Seal of granter in good condition and signed "Jhon of twede of Drumelzor."

326. 20th Dec. 1511. Precept of Sasine, following on the foregoing charter, to Sir John Hay of Hoprew knt., Jas. Tuedye of Quhittislaid, and John Haye : Peebles, 20 Dec. 1511. (*H.*)

Seal appended, perfect.

327. 29th Janry. 1511/2. Reversion, in vernacular, by Andro Blacader of that Ilk, nerrest and lauchfull aire to umquhile baldred blacader my fader broder, in favour of John Lord Hay of Zester of £3 worth of lands in the lordship of Ethkermure, viz. 4 marks of Davidis Dikis, now occupied by Walter Cadar and Geo. Russal; 2 marks of Dernegavill, occupied by John Pharone and Adam Seire; 1 mark of Ethkerheid, occupied by Adam Mailvile, and ½ mark of Somersyd, occupied by the relict of Rob. Johnnesoune, and now by John Forest; sold to the said Baldred Blacader, and now of new to the said Andro by the said Lord Hay; For the sum of £100 to be paid on the Altar of S. James the Apostle in the College Kirk of S. Giles Edinburgh : Edinburgh 29 Janry. 1511 : Witnesses, Mr. Geo. Hay brother german of the said Lord, John Hay in Ugstoun, John Cokburne, Charlis Runsyman, Wm. Craufurd, Alex. Lyndesay, and Symon Gedas. (*H.*)

Signed, "Andro blakatyr off yat Ilk," and seal appended in fair condition.

328. 2nd February 1511/12. Charter by King James IV. under the Great Seal in favour of John Lord Hay of Zester son and heir of the late John Lord Hay of Yester, of the lands and barony of Olivercastel lying in the Sheriffdom of Peblis, the half lands of Glenrusco, lying in the barony and sheriffdom foresaid: and the lands of Todrik lying in the Sheriffdom of Selkirk; which lands of Oliver castell and Todrik heritably belonged to the said deceased John Lord Hay of Zester; and the said half lands of Glenrusco to John Lord Flemyng in superiority and to John Murray of Fawlohill in property, heritably, and were recognosced from them, because of the alienation of the greater part thereof

without consent, licence or confirmation from the Crown; containing clause of erection of the said lands in the barony of Olivercastell: Holding of the crown in fee and heritage forever; Rendering 3 suits at the 3 head courts of the sheriffdom of Selkirk for the said lands of Todrik, and the same for the other lands, of the sheriffdom of Peebles. At Edinburgh 2nd February 1511: Witnesses Alexander Archbishop of St. Andrews, Chancellor; William Bishop of Aberdeen, Keeper of the Privy Seal; Andrew Bishop of Caithness, Treasurer; Archibald Earl of Argyll, Master of the Household; Mathew Earl of Lennox; Alexander Lord Hume, Great chamberlain; Andrew, Lord Gray, Justiciar; Masters Gavin Dunbar, Archdeacon of St. Andrews, Clerk of Rolls, Register and Council: Patrick Painter Rector of Tannades, Secretary; and Robert Colville of Uchiltrie, Director of Chancery. (*M. and H.*)

Fragment of Great seal remains. (Cf. Reg. Mag. Sig. II, 3692.)

329. 2nd Feb. 1511/2. Precept of Sasine from Chancery, following on foregoing charter, to the Sheriff of Peblis and his baillies, and Wm. Hay, Geo. Patirsoune, and John Hay: Edinburgh, 2 Feb. 1511. (*H.*)

Small fragment of Quarter Seal appended.

330. 26th March 1512. Sasine following on the foregoing Precept: Done at the head messuage of the barony of Olivercastell, viz. the Quartar Chapell, 26th March 1512: Witnesses, William of Tuedve, William Cokburne, John Fresal indweller in Aula, Thomas Fresal in Glenquotho, Sir Cuthbert Vach chaplain, Bernard Fresal, and Thomas Hyltsoun serjeand. Alexander Romannos is notary. (*M. and H.*)

331. 16th April 1512. Precept of Sasine by John Lord Hay of Zestir, baron of the barony of Olivercastell, direct to John Cokburn and Geo. Patersoune following on his charter to Wm. Hay of Tallow of the lands of Tallow and Kynggylduris in the barony of Olivercastell, which belonged to the said Wm. H.; but had come in the King's hands as a tenandry of the said barony of O., which had been recognosced, and of new after payment of fines, Wm. Hay contributing his share, infefted to the said lord: Castle of Zestyr 16 April 1512: Witnesses, Sir John Hay of Hoprew knt., son and heir of the granter; Mr. Geo. Hay, the granter's brother german: John Cokburne: and Sir Alex. Romannos, chaplain and N.P. (*H.*)

Seal appended, slightly defaced.

332. 25th May 1512. Precept, in vernacular, by Mathow Brysonne, balze til ane nobil and mychty lord Jhonne lord hay of vestyr withtin the lordschip of Athcarmuire, to Will Robysoun, serjeant, to summon Jhonne of Kneland at the mansion of the malynne of the Stanne within the lands of A. to compear upon Weddynnisday 9 Junenext at Lord Hay's court to be held at Alantoun to answer for the deforcing of Petyr of Clyid, officer of the said lordship, in the taking from him of tua nolt apprised by him upon Stanne for the said J. K's. martymes maile last bypast for his part of Stanne: Alantonne 25 May 1512. (Paper) Wafer signet impressed. Endorsation bears that on 25 May 1512 Jhonne of Kneland was summoned at the lands of Cairishyd, witnesses Wat off Cadar and Jhonne Reid. (*H.*)

333. ——— 1512. Extract from Exchequer Rolls certified by Mr. Gavin Dunbar, from the account rendered by Pat. Kleland deputy of Jas. Lord Hamilton Sheriff of Lanark, dated Edr. 3 July 1479, of 2 silver pennies for the Duplication of the blanche firme of $\frac{1}{8}$ of Thankertoun and the mill, £3, 10s. for

relief of $\frac{1}{6}$ of Nethertoun of Strathavane and $\frac{1}{8}$ of the mill thereof, and 5sh. for relief of annualrent from Glengavill due for sasine given to John Hay; and also a note in same account that the said John Hay had paid the sum of £140 to the Abbot of Holyrood, Treasurer, for the entry of all his lands throughout the kingdom, which is entered in the Sheriff of Edinburgh's account. (*Cf.* Exchequer Rolls, vol. xiii. p. 663.) See No. 335. (*H.*)

334. 6th July 1512. Instrument on the presentation by John Lord Hay of Zestyr of a brief of Inquest from Chancery, a paper schedule of his claim to the sixth part of Thankyrtoun and the mill thereof, and a roll of extracts from the Rolls of Exchequer made by Mr. Gavin Dunbar Archdeacon of S. Andrews to John Hamyltoun Sheriff depute of the Upper Ward of Cliddisdale sitting in judgement; the sheriff's acceptance thereof and election of a jury; and Lord Hay's petition to the said jury for a verdict: Done in the Tolbooth of Lanark, 12 midday 6 July 1512: Witnesses, Sir Wm. Douglas of Bradwod knt., Wm. Cokburne of Hendyrland, Wm. Hammyltoune of Caudair, John Hay of Uxstone, John Nesbit of Dalzell, John Cokburne, and Adam Malvyn: Alex. Romannos N.P. (*H.*)

335. 6th July 1512. Retour of Inquest held at the Burgh of Lanark on 6th July 1512 before Johne Hamiltoune of Brumhill sheriff Depute of the Upper ward of Clidisdale, by John Somervil of Cambusnathane, Knight, James Lewingstoune son and apparent heir of James Lewingstoune of Jeroswode, Robert Walch, Patrick Muir of Anastoun, Alexander Coltart, William Polloc, William Cok, Robert Grahayme of Westhall, George Inglis, Adam Bailze, William Bailze of Cormastoune, Robert Dalzell of that Ilk and John Bailze; finding that they were ignorant of what lands and annual-rents the late John Lord Hay of Zester, father of John Lord Hay of Zester, died last vest and seised as of fee within the sheriffdom of Lanark, in as much as the said John produced no instruments of Sasine nor any other evidents and documents except his claim and one roll extracted from the Rolls of Exchequer under the subscription of Mr. Gavin Dunbar, see No. 333; and that the said John is lawful and nearest heir to his said father. (*M.*)

Apparently no seal has been attached to the tags.

336. 21st July 1512. Charter by John Lord Hay of Zester and Baron of the barony of Olivercastel in favour of his brother german George Hay and Eufamie Wauchop his spouse, and after the decease of the said George the said Eufamie in her widowhood, and the heirs male lawfully procreate or to be procreated of the body of the said George, which failing to revert to the granter and his heirs whatsoever, of the lands of Nethir Menzeane, lying in the barony of Olivercastell and shire of Peebles; which presently pertained to the said George in property and to the granter in superiority and were recognosced in the King's hands as one tenandry of the barony of Olivercastell: To be held of the granter and his heirs in ward and relief in fee and heritage: Rendering yearly three suits of court at the three principal pleas held at the barony of Easter Hoprew: At Neidpeth 21st July 1512. Witnesses, Sir John Hay of Hoprew, Knight, son and heir apparent of the granter, John Hay of Uxstoune, William Hay son and heir apparent of William Hay of Tallow, John Cokburne, Symone Geddas and Sir Alexander Romannos chaplain and notary public. (*M. and H.*)

Seal of granter in good condition.

337. 21st July 1512. Precept of Sasine by John Lord Hay of Yestir, and Baron of the Barony of Olivercastell, following on No. 336. At Neidpath 21st July 1512. Witnesses, Sir John Hay of Hoprew, Knight, first born and heir [illegible]arent of the granter, John Hay of Uxstoune, John Cokburne, William Hay [illegible]d Symon Geddas. (*M. and H.*)

Seal of granter in good condition.

338. 24th July 1512. Instrument of Sasine proceeding on foregoing Precept in favour of George Hay of Menzeane and Eufamie Wauchope his spouse—dated 24th July 1512. Witnesses, John Fresal, Robert Fresal, James Fresall and Thomas Hiltsoune, serjeand. Gavin Lumisdane is attorney for said George Hay George Paterson is bailie and Alexander Romannos is notary. (*M.*)

338A. 24th July 1512. Another copy of No. 338.

339. 27th July 1512. Ane seasing givin propriis manibus (be way of resignatione) be jon jonstoun burges of hadingtoun of all & haill ane annualrent of sevin shillingis to be upliftit furth of his tenement in hadingtoun to mr ard. rantoun in name of the chaplaines of the bothanes seillit wt the seill of mr thomas borthuik baillie of hadingtoun noter therto Laurence flemyng of the dait 27 july 1512. *No. 6, Edmund Altar Inventory.* (*H.*)

340. 17th Aug. 1512. Discharge by George Hay of Nethir Menzeane, to Elizabeth Lady Beltoun his mother, of all sums of money, bairn's part of gear, etc., due to him, and binding himself and Gilbert Wauchop of Nudry Merschell, under the penalty of £3000, never to move, question or demand against her or Sir John Oliphant of Kelle, in time coming; Excepting the sum of 100 pounds, 24 bolls of quhete, 84 bolls of aitis contained in a letter of tack by his said mother to him. At Beltoun 17th August 1512. Witnesses, Peter Oliphant, Sir Johne Leyis, chaplain, Sir Johne Kylow, Chaplain, George Dunbar, John Oliphant and Johne Quhippow. (*M. and H.*)

The seals of the granter and Gilbert Wauch(ope) of Nidre Marchell are impressed but somewhat broken, and signed, "M. G. Hay of Mynen," "Gilbert Wauch of Nudre Marchaal, etc."

341. 30th Oct. 1512. Indentures betwixt Adam Earl Boithuile Lord Halis, Admiral of Scotland, and Adam Hepburne of Craggis his free tenant of the lands underwritten, with consent of George Bishop of the Isles, Commendator of Aberbrothoc and Ycolmekyll, and John Prior of St. Andrews curators to the said Earl, on the one part, and John Lord Hay of Yester on the other part, agreeing that the said Adam Hepburne shall resign in the said Earl's hands in favour of said Lord Hay, his half lands and barony of Zester, with advocation and donation of the College Kirk of Bothanis, with provostry, prebends and chaplanries thereof, and also his lands within the barony of Duncanlaw, which belonged to Andro Makdowell of Makcarstoun and resigned by him in the King's hands, in favour of the late Patrick Earl Boithuile father of the said Adam Earl Bothuile, lying in the Sheriffdom of Edinburgh and Constabulary of Hadingtoun: and the said Adam Earl Bothuile shall resign the said lands in the hands of the King to be given again to the said John Lord Hay in excambion for his lands of the twa part of the towne of Morhame with the castell and fortalice of the same and also the twa part of the Manys of Morhame with the lands of Pleuchfeild the myline and pertinents thereof, with advocation and donation of the paroche kirk of Morhame pertaining heritably to the said John Lord Hay, and which he shall likewise resign in the King's hands for heritable infeftment thereof to be given to the said Adam Earl Boithuile, to the intent he shall infeft the said Adam Hepburne therein, who is likewise to redeem and make free to the said Lord Hay the half lands and town of Gamylstoun, lying in the barony of Yestir, furth of the hands of Thomas Borthuike, and the quarter of the lands of Lynplum from Alexander Boyd, which were wadset by the said late Patrick Earl Boithuile to the saids Thomas and Alexander; and where they have tacks of the said lands to run after the said redemption the said Adam Hepburn shall recompense the said Lord Hay of the profit of said lands, in so far as they are then worth, at the sight of William Earl of Erroll: And where

Elizabeth Lady of Zester mother to the said John Lord Hay has the terce of the said lands of Morhame for her life therefore the said Lord Hay at the sight of the said Earl of Erroll, shall recompense the said Adam Hepburne for the same, if he cannot free the same out of his said mother's hands; And the said Lord Hay shall free and out quit to the said Adam Hepburn a husband land lying in the town of Morhame wadset to umquhile Richart Quhitlaw of Popill "or the said terme of Witsounday"; The party breaking this indenture to pay to the King 1000 pounds, to the Archibishop of St. Andrews for reparation of his metropolitane kirk of St. Andrews 1000 pounds, and to the party observing 1000 pounds: At Edinburgh 30th October 1512: Witnesses, Andro Bishop of Cathnes, Commendator of Kelso and Ferne; William Earl of Erroll, Lord Hay, Constable of Scotland; William Scot of Balwery, Knight; John Sinclair of Hirdmanstoun; John Hay son and apparent heir to the said John Lord Hay of Zester; George Hay brother germane to the said Lord; Maister Williame Cunynghame prebendar of Boithuile; Alexander Clerk and Alexander Zoung public notaries. (*M.*)

The seals and signatures of Adam Earl of Bothwell, George Gordoune Bishop, Commendator of Arbrotht and John Prior of St. Andrews are attached—the Earl's seal somewhat broken, the other two in good condition. Paper.

342. 30th Oct. 1512. Contemporary copy of the foregoing. (*H.*)

343. 31st Oct. 1512. Instrument of Resignation by Adam Hepburne of Craggis in the hands of Adam Earl of Bothuel, superior of the same, of the half lands of the baronies of Zester, Duncanlaw and Moram, with advocation and donation of the Kirks and provostry of Bothanis and Moram, prebends and chaplanries thereof. Done 11 a.m. in the palace of the King at Edinburgh on 31st October 1512. Witnesses, William Cokburne of Langtoune, George Hepburne of Rowandstoune, James Logane of Crammont, Patrick Hepburne, David Purves, and William Wod: William Cuninghame, master of Arts is notary. (*M.*)

344. 8th Nov. 1512. Instrument of Resignation by John Lord Hay of Zestir in the King's hands of his lands of the barony of Duncanlaw lying in the sheriffdom of Edinburgh and Constabulary of Hachingtoune: Done 6 p.m. in the King's Palace, Edinburgh, 8th November 1512: Witnesses, Andrew Bishop of Moray; George Lord Setoun; Cuthbert Balzhe Commendator of Glenluce; Masters Robert Forman, Dean of Glasgow; and Patrick Panter, the King's secretary: William Cunyngham, Master of Arts is notary. (*M. and H.*)

345. 9th Nov. 1512. Instrument of Sasine to Adam Melwinge, attornay for John Lord Hay of Zestyr, by Thos. Henry Sheriff depute of Lanark "in hac parte," following on and narrating a Precept of Sasine from Chancery, dated Edinburgh 29 Oct. a.r. 25 (1509) following on the service of the said Lord Hay as heir to his father um. John Lord Hay of Zestir in the sixth part of Thankertoune and the mill thereof, on payment of £50 due by the said lands being in the King's hands for 5 years at the rate of £5 for firms and £5 for relief: Done 1 p.m. 9 Nov. 1512: Rob. Kaye, Thos. Purdy, John Bulloc, Gavin Conynghame, Gilbert Gibsoune, Thos. Hendersoune, Wm. Smytht, and Michael Lokert: Wm. Clerc, priest Glasg. dio., N.P. A.a. (*H.*)

346. 14th March 1512/3. Instrument of Warning by Wm. Oliphant, son and heir of Sir John Oliphant of Kelle knt., as procurator of John Lord Hay of Zester, baron of Snaid, To Robert Cunyngahame of West bernis, son and heir

of um. John C. of W.b., to compear on 4 April next and receive 640 marks in terms of No. 293: Done at the Manor of Westbernis near Carale on the north side of the Water of Forth, 8 a.m. 14 March 1512: Witnesses, Peter Oliphant; John Oliphant; and John Currour: Alex. Romannos, Notary. (*H.*)

347. 2nd April 1513. Instrument upon the Agreement between John Lord Hay of Zester and Robert Cunynghame, son and heir of um. John C. of Westbernis, continuing Redemption of the lands in Snaid (see No. 346), from 4th to 14th April next: Edinburgh 9 a.m. 2 April 1513: Witnesses, John Crawfurd in Bonytoun, John Edmonstoun, dweller in the town of Leith, and John Cokburne: Alex. Clerk, clerk S. And. dio., N.P. A.a. (*H.*)

348. 14th April 1513. Instrument on the offer by John Lord Hay of Zester of the sum of 650 marks, paid down upon the Altar of S. James in the College Kirk of S. Giles of Edinburgh, the redemption money of the lands in Snaid (see No. 293), to Robert Cunynghame son and heir of um. John C. of Westbarnis, who had been warned at his principal dwelling, viz., the principal mansion of Westbarnis: his Refusal of the said sum: the Refusal of Sir Alex. Lauder of Blith knt. Provost of Edinburgh to receive the said sum into his charge: the Acceptance of its custody by Thos. Otterburne burgess of Edinburgh: and the Protest of Lord Hay that this should not prevent the regression of himself and his heirs to the said lands: Done 6 p.m. 14 April 1513: Witnesses, Gilbert Wauchop of Nudry Merschele, John Broune, Wm. Wauchop, Wm. Nesbet, Masters Jas. Lauder, Michael Geddes, Sir Wm. Broune, Chaplains and Notaries Public, and Alex. Spens: John Jaksone, priest S. And. dio., N.P.A. and R.a. (*H.*)

349. 22nd April 1513. Precept of Sasine from Chancery to George Creichtoune and John Cokburne, Sheriffs of Dumfries "in hac parte," for John Lord Hay of Zester of the lands of Snaid (see No. 293), following on decreet by the Lords of Council, to whom it had been clearly shewn that the said lord had redeemed them and had letters of Regression (see No. 294). Edinburgh, 22 April 1513. "Ex Deliberationem dominorum consilii. (*H.*)

Fragment of Quarter Seal appended.

350. 5th May 1513. Instrument of Sasine proceeding on Precept under the testimonial of the Great Seal, directed to William Hay of Tullouch, John Hay and John Cokburn, sheriffs of Edinburgh, for infefting John Lord Hay of Yestir in the half lands and barony of Yestir, with the right of patronage, advocation and donation of the provostry of the Collegiate Kirk of Bothanis, prebendaries and chaplanries thereof, and the lands and barony of Duncanslaw, lying in the shire of Edinburgh and Constabulary of Hadingtoun, which lands pertained to Adam Earl of Bothwell as son and heir of the late Patrick Earl of Bothwell who was infeft in the same, on resignation of Andrew Makdowell of Makcoristoun; and which the said Adam resigned in the King's hands, with consent of George Bishop of Sodor, Commendator of Aberbrothok and Colmekill and John Prior of St. Andrews his curators, in Excambion for the lands and barony of Morame, with the Mains and Mill of Morame, the lands of Plewfeld and the right of patronage, advocation and donation of the parish Kirk of Morame lying in the said shire and constabulary, with clause incorporating the said lands and barony of Duncanlaw in the lands and barony of Yestir. Precept dated at Edinburgh 10th November 1512. Sasine given on 5th May 1513. Witnesses, John Cokburne, Symone Geddas, Sir William Portuus chaplain, John Makquiat, James Geddas and Thomas Boltoune serjeand. Alexander Romannos is notary. (*M.*)

351. 10th May 1513. Instrument of Sasine following on No. 349, by George Creichtoun, Sheriff of Dumfries "in hac parte": Done 8 a.m. 10 May 1513: Witnesses, John Hay of Uxstoune, John Cokburne, John Cotis, Symon Geddas, John Rorisoune of Dardanow, Alan Trakwar, John Makquiat, and Thos. Kyd serjeant: Alex. Romannos N.P. (*H.*)

352. 10th May 1513. Reversion, in vernacular by Andro Rorysoune of Bardannow to John Lord Hay of Zestyr, baron of Snaid, of the £3 lands of Lagane in Snaid, sold him by the said lord, for thirteen score (260) marks in one sum on the High Altar of the Parish Kirk of Glencarne with a 3 years' tack of the said lands at a yearly rent of £3; the said Lord to redeem, at the making hereof, those said lands in Snaid that are in wadset, except a markland that ane callit Will Scot has in new assedation: Snaid 10 May 1513: Witnesses, John of Creyttoune of Hartwood, John the Hay of Uxstoune, John of Cokburne, Wm. the Hay of Wyndane, Geo. Creichtoune, John of Cotis, Thos. Kyd, and Sir Alex. Romannos chaplain and N.P. (*H.*)

353. 17th May 1513. Letter of Reversion by William Hay of Tallow and Margret Cokburne his spouse to John Lord Hay of Zestir, agreeing to resign six husband lands of which the said William occupies four and Sir James Daile two, lying within the town and fulze of Barow, Sheriffdom of Edinburgh and Constabulary of Haddingtoun, with the charter and Sasine thereof granted by the said Lord Hay to him: and that on payment of 300 merks on the altar of St. Edmund situated within the College Kirk of Bothanis, with a letter of tack of the said lands, for one year following the redemption of the same, for six merks yearly maill. At Zestyr 17th May 1513. Witnesses, Sir John the Hay of Hoprew, Knight, Master of Zestyr, James of Tuedy of Drummelzer, John the Hay of Uxstoune, William the Hay of Wyndane son and apparent heir of the granter, Johne of Cokburne, Alexander Lyndesay Symont Geddas, Sir William Portuus chaplane and Sir Alexander Rommanos notary public. (*M.*)

The seals of the granter and his wife are appended in good condition.

354. 23rd May 1513. Instrument narrating that in presence of Mr. Pat. Craufurd, rector of Aulhamstokis, Commissary of Mr. Wm. Wawane, canon of Aberdeen licentiate in Decreets and Official of S. Andrews in the Archdeaconry of Lothian, sitting in judgment, there compeared John Lord Hay of Zestyr and Dame Elezabetht Cuningham, Lady of Zester, Beltoune, and the terce of the barony of Morahame; the said lord presented a commission by Wm. Wawane Official etc. to Masters Rob. Walterstoune, provost of Bothanis, and Pat. Craufurd, rector of Auldhamstokis, dated Edinburgh 22 May 1513, to receive renunciation by Dame Elizabeth of her terce of Morham: and the said Dame Elizabeth resigned her said terce in favour of Sir Adam Hepburn of Craggis because of the excambion (see No. 341): Instruments taken at the instance of John Lord Hay of Zester and Mr. Geo. Hay his brother, for the said Ad. H. of C.: Done at the Manor and Castle of Beltoune in the room of the said Dame Elezabetht, 11 a.m. 23 May 1513: Witnesses, John Hay of Hoprew son and heir of the said lord; Mr. Geo. Hay; John Cokburne; and Sir Alex. Romanus N.P.: Wm. Cuningham, M.A., priest S. And. dio., N.P. A. and R.a. (*H.*)

Seal of Mr. Pat. Craufurd appended in good condition.

355. 23rd May 1513. Instrument upon the Obligation by John Lord Hay of Zester to grant his mother Dame Elizabeth Cuningham, Lady Zester and Beltoune, lands in the lordship of Zester to the value of her terce of the barony of Moraham, resigned by her to him, because of the exambion (see No. 341) between the said lord and Adam Hepburn of Cragg knt. and Adam Earl of

Bothwell; Instrument taken at the instance of Mr. Geo. Hay, son of the said Dame Elizabeth: Done at Beltoune, 11 a.m. 23 May 1513: Witnesses, Mr. Pat. Craufurd, commissary; John Hay of Hoprew, Master of Zester; John Cokburne; and Sir Alex. Romanus, chaplain and N.P.: Wm. Cuningham, M.A., priest of S. And. dio., N.P. A. and R.a. (*H.*)

356. 19th Aug. 1513. Sasine following on Precept by John Lord Hay of Zestir directed to John Cokburne, William Hay and James Geddes his bailies, for infefting William Hay of Tallow, in that fourth part of the lands of Lynplum commonly called Makdowellis quarter, lying in the territory of Lynplum, barony of Zestir, sheriffdom of Edinburgh and Constabulary of Hadingtoun. The Precept is dated at Neidpeth near Peebles 12th August 1513. Witnesses, Sir John Hay of Hoprew, Knight, son and heir apparent of the said Lord Hay, John Cokburne, Edmund Hay, Symone Geddas and William Grer. Sasine dated 19th August 1513. Witnesses, Sir James Dale chaplain, Johne Hay, Arthur Hay, George Tod and Thomas Bowe. Alexander Rommanos is notary. (*H.*)

357. 3rd Nov. 1513. Precept of Sasine from Chancery to the Sheriff of Lanark and his baillies for Sir John Hay of Hoprew knt. served heir to his father um. John Lord Hay of Zestir in the sixth part of Thankertoun and the mill thereof: security to be taken for £10 of relief due: Perth, 3 Nov. a.r.l. (1513). (*H.*)

Quarter Seal gone.

357A. 3 Nov. 1513. Item a precept following upoun a retour furth of the chancellarie for infefting of umqle. Jon hay of hoprew as air to umqle. Jon. lorde hay of yestar, his father in the forsaids landis and barony (of Lochquharrat) with the pertinentis daitit at perth the third day of november and first year of king James the (fifth) his raigne (1513) Item the instrument of seasing following thairupoun daittit 8 November 1513. Sir Jon. broun notter thereto. *Nos* 2 *and* 3, 1663 *Locharret Inventory.*

358. 3rd Nov. 1513. Precept from King James V directed to William Hay of Tallo, John Hay of Vxstoun, William Borthuik of Cruxtoun and John Makquiat, sheriffs of Peiblis and Selkirk "in hac parte" for infefting John Hay of Hoprew Knight as lawful and nearest heir of the late John Lord Hay of Yestir, his father, in the lands and barony of Hoprewis and Lyn with its pertinents viz: the lands of Edstoun and Megoth: the lands of Jedworthfeild, with the office of Sheriff of Peiblis: the barony of Olivercastell, superiority of Todryk, lying in the sheriffdom of Selkirk united in the said barony of Olivercastell; the half lands of Glenrusco, lying in shires of Peblis and Selkirk; Taking security of £80 of relief of the lands of Lyn, Hoprewis, Edstoun and Megoth, and of 2 pennies silver by duplication of the blench ferme of the lands of Jedworthfeild, with office of Sheriff of Peblis, and of £50 of relief of the said lands and barony of Olivercastell. At Perth 3rd November and first year of the King's reign 1513. (*M. and H.*)

359. 6th Nov. 1513. Precept of Sasine by Gawin Douglas, Provost of the College Kirk of S. Giles, Edinburgh, Procurator of the General Syndic, yconomus, and vice-lord of the Place and Monastery of Abirbroith, to Henry Boltoune, Gawin Cunyneghame, and Peter Clyid, with the consent of the Chapter, in favour of Sir John Hay of Hoprew knt. retoured heir in Chancery to his father um. John Lord Hay of Zestir in the lands of Athcarmuir, Lanark-

shire, held in chief of the Abbot and Convent of Abirbroith : Arbroath 6 Nov. 1513. (*H.*)

Signed "Alexr. Crayle Subprior," and fragment of the seal of Gavin Douglas appended.

360. 8th Nov. 1513. Instrument of Sasine following on No. 358, by John Makquiat to Wm. Greir, attornay of Sir John Hay of Hoprew knt. : Done at the said lands 8 a.m. to 4 p.m. 8 Nov. 1513 : Witnesses, Chas. Geddas of Rachane, Wm. Tuedy in Olivercastell, Geo. Patersoun in Hartstane, Wm. Brown, Geo. Brown, Rob. Lyne, Wm. Rechartsoun, and Wm Lyne : John Dikesoune, priest Glasg. dio., N.P. A.a. (*H.*)

361. 8th Nov. 1513. Instrument of Sasine by John Makquiat to John Moffat, attornay of Sir John Hay of Hoprew knt., following on and narrating a Precept of Sasine from Chancery, dated Perth 3rd Nov. 1513, to Wm. Hay of Tallo, John Hay of Uxstoune, Wm. Borthwik of Crukstoune, and John Makquiat Sheriffs of Dumfries "in hac parte," in favour of the said Sir J. H. served heir to his father um. John Lord Hay of Zestir in the barony of Snaid, security to be taken for £40 of relief: Done at the Manor of Snaid, 10 a.m. 8 Nov. 1513 : Witnesses, Adam Gordoune, John Heroune, Wm. Maclarnne, Rob. Halyday, Pat. Litill, and Bartholomew Smart: John Stevinstoune, priest Glasg. dio., N.P. A.a. (*H.*)

362. 9th Nov. 1513. Sasine proceeding on Precept from Chancery directed to William Sinclar of Northrig, sheriff of Edinburgh in the Constabulary of Hadington, in favour of John Hay of Hoprew Knight as lawful and nearest heir of the late John Lord Hay of Zisttr his father, in the lands of the barony of Yestir, with Castle, tower, manor place advocation and donation of the Collegiate Kirk of Bothanis and chaplanries thereof, and the lands of "le Park," the lands of "le Manys" and Gammylstoune, of the lands of Giffurdgat and superiority of the same, the lands of Lynplum, one fourth part in property and the rest in superiority and tenandrie, and the superiority of the lands of Ledingtoun and Duncanlaw except the lands mortified to the Church, the lands of Baro and superiority thereof, the lands of Uxstoun and Blans, the lands of Beltoune and Gilpallat, lying in the sheriffdom of Edinburgh and Constabulary of Hadingtoun, which are held of the King in chief ; taking security of eighty pounds of relief of the lands and barony of Yester and the saids lands of Manys, Park, Gamulstoun, Giffurdgat, Ledingtoun, Duncanlaw, Baro and Lynplum, annexed to the said Barony, twenty merks of relief of the lands of Uxstoun, four pounds of the lands of Blans, and forty pounds of the lands of Beltoune and Gilpallat. Precept dated at Perth 3rd November 1512. Sasine given on 9th November 1513. Witnesses, William Hay of Tallo, Thomas Hay, John Hay of Uxstoune, William Hay, Sirs George Kylo, John Leyis chaplains John Mandyrstoune, Thomas Sinclar, Stephen Craik, Alexander Lyndesay, David Brown, John Cokburn, James Dyssyntoune, and John Crummye serjeand to the King. Alexander Romannos is notary. (*M.*)

363. 22nd Nov. 1513. Commission by King James V. constituting John Lord Hay of Zestir sheriff of Peebles, to be Justiciar in the bounds of the said Sheriffdom, with power to hold courts of Justiciary, to call suits, amerciat absents, receive pledges &c., for the space of one year from the date hereof. Given under the testimonial of the Great Seal. At Perth 22nd November 1st year of the King's reign (1513). (*M.*)

Fragment of Quarter Seal appended.

364. 29th Nov. 1513. Instrument of Sasine, following on No. 359, by [illegible]er Clyid to Matthew Brisoune, attornay for Sir John Hay of Hoprew knt. :

Done at the Manor of Allantoune, head messuage of the lands of Athcarmur, 10 a.m. 29 Nov. 1513: Witnesses, Walter Caddar, Geo. Russal, Thos. Robysoune, Gawin Cunynghame, Thos. Barny, and John Malvynne: Alex. Romannos N.P. (*H.*)

365. 6th Dec. 1513. Instrument of Sasine by John Lord Hay of Yestir in favour of Sir William Lempetlaw chaplain, his heirs and assignees brother of the late James Lempetlaw, of a rig and two acres lying in the town and territory of Gamilstoun, which pertained to a man called Cosour, with pasturage of two "le sowmis" Namely horses, cows, &c.; Done at the town of Bothanis 6th December 1513. Witnesses, Richard Maitland Lord of Lethingtoun, Robert Knollis, Alexander Lensay, Sir John Trotar, Sir Adam Lempetlaw chaplains and Stephen Craik. John Gylour is notary. (*M.*)

366. 15th Dec. 1513. Instrument of Sasine, following on No. 357, by Thos. Henry, Sheriff of Lanark "in hac parte," to Gawin Cunynghame attornay for Sir John Hay of Hoprew knt.: Done at the town of Thankertoun, 11 a.m. 15 Dec. 1513: Witnesses, Thos. Robysoune, John Wilsoune, Jas. Wilsoune, and Andrew Cowtart: Alex. Romannos N.P. (*H.*)

367. 27th March 1515. Sasine on Precept from Chancery directed to William Kemp, bailie of Haddington for infefting John Fourhous as lawful and nearest heir of the deceased David Fowrhos younger, his father, in a tenement of land with tail lying on the west part of "le cheritreheuch" of the burgh of Hadington, between the land of the late William Keryntoun on the west, the lands of the Lord of Setoune on the north, the lands of John Home on the east, and the High Street on the south: also in two rigs of arable land lying on the north part of the said burgh and territory thereof, between the lands of the late Bartolomew Aytoun on the north and west, and the land of John Crumby on the south. Precept dated at Edinburgh 16th March 1514 (2nd year of King's reign). Sasine dated 27th March 1515. Witnesses, Henry Fourhos, George Corthart, John Lermotht, Thos. Dwdgoun, Patrick Lawsone, William Cokburn. John Stene, Robert Norre, and Johne Darg seriand. Laurence Flemyng, clerk S. And. dio., N.P. A.a., is notary. (*M.*)

Seal gone.

367A. 8th July 1514. Ane auld chartour of Mcdowgallis quarter gevin be umqle Johne lord hay of zester to umqle. Wame. hay of linplum, 8 July 1514. *No.* 54, 1617 *Linplum Inventory.* (*H.*)

368. 10th Oct. 1514. Commission under the testimonial of the Great Seal to William Hay of Tallo, John Hay of Ogstoun, William Borthuik of Cruxtoun. John Duncane and John Makquiat, Sheriffs of Edinburgh, within the Constabulary of Haddington, Peebles, Dumfries, Lanark, Perth and Selkirk, for serving a Breive impetrat by John Hay as heir to the late John Lord Hay of Zestir his father, in the lands, annual-rents, superiorities and offices of the said deceased Lord within the foresaid Sheriffdoms. At Falkland 10th October 1514. (*M.*)

Fragment of Great Seal.

369. 26th March 1515. Imprimis Ane instrument of Seasine Laurence ffleiming Noter to John forrest sone to david fforest burges of Hadingtoune of all and haill ane tenement witht ane tale lyand in the west of the chirretriehauch boundeit therin: And of two rigs of arable land lyand upon the north of the

said brugh also boundeit dait 26th Merch 1515. *No.* 1, 1660 *Inventory of Writs of Provostry of Bothans.* (*H.*)

370. 16th May 1515. Charter by John Lord Hay of Zestyr to Sir Andrew Qwhitheid, Rector of Aldcathy of a sixth part of the granter's town of Athmur except the gardens and orchards, in the barony of Erole, occupied by John Galloway: Paying a red rose in name of blanche firm: At the Castle of Zestyr 16 May 1515: Witnesses, Wm. Hay of Wyndane, Thos. Myddilmast of Grevistoune, Sir Wm. Portewys, chaplain, Thos. Lowis, Edmund Hay, Alex. Lyndesay, Jas. Cokburne, John Neylsoune, and Sir Alex. Romannos, N.P. (*H.*)

Signed and seal appended in good condition.

371. 22nd May 1515. Procuratory by John Lord Hay of Zestyr to Mr. James Scrymgeour Parson of Banvy and David Maxwell of Polgavy to warn James Wedderburn, son and heir of um. Jas. W., burgess of Dundee, to compear in the Parish Kirk of Dundee and receive £200 in redemption of two-sixth parts of the lands of the town of Athmur in the barony of Erol, after the tenour of two reversions by the said um. Jas. W. to um. John Lord Hay of Zestyr, "my dearest fadyr": Edinburgh 22 May 1515. (*H.*)

Paper. Signed. Seal gone.

372. 25th May 1515. Copy Reversion in vernacular, by Sir Andro Quhithed parson of Aldcathy to John Lord Hay of Zester of the lands in Athmur, see No. 370, for payment upon the High Altar in the Chapel of Our Lady in the Kers of Grange of the sum of £100 in pennyis of gold of wecht, ilk penny of gold that hapynnis to be gevin for the pece as eftir followis, that is to say the hary nobil of wecht for thretty aught schillingis scottis the pece, the angel nobil for 28 sh. the Scottis ridar current at the making hereof for 26 sh. the low of wecht for 21 sh., the Scottis unicorne ior 20 sh., the franch crowne of the son for 18 sh., and the ungress ducat and spanze ducat for 19 sh., along with a letter of 3 years tak of the said lands at a yearly rent of 8 marks: And, should the said Sir A. Quhithed or his heirs fail after 40 days warning, to appear to receive payment, it shall become lesum to the said Lord or his heirs to deposit the redemption money in the commone kist within the revestre of the paroch kirk of Dundee: At Dundee 25 May 1515: Witnesses, Mr. Jas. Scrymgeour parson of Banvye, Mr. Richard Rowok chanone of Murray, David Maxwell of Polgavy, Hew Maxwell of Petcurmyk, Sir Jas. Robertson, John Duncane, Jas. Browne, Sandy Duncane, John Tempill, and John off Law, goldsmyth and burgess of Dundee. (*H.*)

Paper. Certified copy by Alex. Romannos, N.P.

373. 28th Aug. 1515. Letter narrating that Elizabeth Cuninghame, lady of the lands of Beltone and patroness of the Altar of S. Monan in the Parish Kirk of the town and College of Dunbar, founded by her with consent of her spouse um. John Lord Hay, presented Sir John Leis, chaplain to the said altarage, vacant by the death of the last possessor Sir Geo. Kylo: To be held by the said Sir John for all the days of his life with £10 yearly from the two mills of Beltone, called the Corn Myll and the Wauyk Myll, the House built by um. Geo. Smyth with its buildings, and an acre lying contiguous, with the pasturage of four "lee soumis" in the dominical lands of Beltone, viz., a horse and "lee twa soumis": For celebration of divine service not only at the said altar but also every Sunday at the Chapel of Beltone, receiving his expenses [illegible]h time he does so: And thereafter the said Elizabeth passed to the said altar [illegible] gave possession by delivery of the chalice, book, and other ornaments of

the said altar to the said Sir John Leis: Done at the said altar of S. Monan, 10 a.m., 28 Aug. 1515: Witnesses, Mr. Geo. Hay of Menzeinze, Wm. Manderstone, Rob. Manderstone, Geo. Dunbar, and Sirs Thos. Manderstone and Rob. Strange, chaplains: Under the sign and subscription of Henry Lauson, priest of S. And. dio., N.P. A.a. (*H.*)

Seal of Eliz. Cuningham appended in fair condition.

374. 13th June 1516. Charter by Jonet Reidpeth granddaughter (neptis) and heir of um. John Reidpeth burgess of Edinburgh, To John Zong her future spouse of her lands, tenements and annual rents, viz. her land or tenement fore and back in the said burgh of Edinburgh, below the Netherbow, on N. side of High St., between the land of Thos. Turnour on E. land of um. Walter Reidpath on W., a certain house called Blakhall on N., and public street on S., also her back and waste land with garden, below said Netherbow, within the tenement of um. Henry Swift on S. side of High St., and between the S. gable of land of um. Wm. Lamb on N., land of um. Wm. Scheirsmytht on S., land of um. Pat Balbirny on W., and land of um. Rob. Lamb on E.; also her land in the vinell called Leichwynd on W. side of the entry, between land of um. Thos. Nory on S., and land of Alex. Thomson on N.; also her annual rent of 20sh., from land of Alex. Thomson in said vinell on W. side of entry and between land of um. W. Glasfurd on S., and land of Andrew Brawle on N.; Item her annual rent of 6sh. 8d. from land of said um. And. Brawle between land of said Alex. Thomson on S. and land of John Reidpeth on N.; Item her annual rent of 13sh. 4d. from land of um. Thos. Meldrum and um. Jas. Pakkar in foresaid vinell between land of said John Reidpeth on S. and gate of Saint Andrew on N.; also another back land within the tenement of um. Thos. Nory on W. of said vinell between land of um. And. Brawle on S., land of um. John Turning (?) on N., land of said And. Brawle on W., and public street on E.: To be held by the said John Zong and the granter and the heirs of their body, whom failing the heirs of the said John, of the King in fee and heritage: Doing therefor the used and wont service of a burgess: Edinburgh 13 June 1516: Witnesses, Sir John Zong, Sir Rob. Stalkar chaplains, Jas. Clerk, Thos. Browne, Jas. Wynsister, Walter Moncure, John Thomson, Alex. Zong and John Foular Notaries Public. (*H.*)

Seals of Jonet Reidpath and Mr. Alex. Borthik, baillie of Edinburgh, said to be appended, are both gone.

375. 13th June 1516. Instrument of Sasine, following on the foregoing, by Mr. Alex. Borthik baillie of Edinburgh to John Zong and Jonet Reidpeth his wife: Done 4 p.m. 13 June 1516: Witnesses as above: Henry Strathauchyn N.P. (*H.*)

376. 6th Sept. 1516. Rex. Weilbelouit cousing and counsalour We grete zou wele and forsamekle as our parliament wes last continewit to the XV day of September instant thain to bene haldin at Edinburgh Neuertheless for certane considerationis moving ws and our derrest cousing our tutour and gouernour of our realme We haue ordanit our said parliament to be continewit in the samin forme as of before to the secound day of October nixt to cum / Heir for We pray zou at ze keip the said secound day of October at the quhilk god willing we sall mak our said parliament to begin And thairaftir do thairintil for our Wele and the commone Wele of our realme / god haue zou in keping Written vnder our signete at falkland the vj day of September and of oure regnne the thrid zere (James V, 1516) Signed, "Jehan" (*John, Duke of Albany, the Governor*).

To our weilbelouit cousing and counsalour Jhone lord hay of zestir etc. (*H.*)

Signet gone.

377. 29th March 1516. Procuratory, by way of Instrument, by James Wedderburn, son and heir of um. Jas. W., with consent of his curator Andrew Barry, to Sir John Barry Vicar of Dundee and Jonet Barry the granter's mother to receive the sum of £200 from John Lord Hay of Zester upon the High Altar of the Parish Kirk of the B.V.M. of Dundee for redemption of 2 sixth parts of Athmure (see No. 371): Done in the Chapel of S. Nicholas of Chapelgray near Dundee, 6 a.m., 29 March 1516: Witnesses, Mr. Rob. Wedderburn, Rob. Halis, Rob. Clerk, and Thos. Clerk: Rob. Fif, A.M. priest S. And. dio., N.P. A.a. (*H.*)

378. 26th Aug. 1517. Apud Edinburgh 27 augustj anno etc. XVIj.

The lordis ordanis that lettrez be writin to the erle of mortoune and sheref of peblis charge-and thame that thai taxt thir persounis within writin Ilkane efter the quantite and availe of thair Landis for the furnishing of Wageouris to be put in strenthis of crammald and Cat-slak for the defence of the kingis trew liegis aganis the theiffis reffaris and traitouris oure souerane lordis rebellis And Inlikwis to taxt all vtheris persounis landit or other substantius men within the said shirefdome to the effect forsaid And that this be hastely withtin vij dayis done becaus of growing lang of the nycht.

Signed, Jehane I—— Erli off Morton, Jo por S a, Ge ste cris. Endorsement. Ja dumblnen, Clicus Regist M Jhon Campbell ther., Ja decanus abd.

Thyr ar the namis that the shiref of peblis and the remanent of the cuntre compleinis apoun. In the fyrst. the abbot of melros. the abbot of hallyrudhous. the abbot of newbothyll. the abbot off kelso (another column) the erle of mortoun. the Lord flemyng. the lard of scrilling the lardis of the rawchane. The lardis of qwhittisslaid. the lardis of brochttoune the lard of styrkfeld. the lard off langlandhyll. the lard of kyrkvrd. the lardis of lochturd and nethirvrd. the lard of romannos. the lard of bogend. the lard off barony the lardis off cully hop. the lardis of stewartone. the lard off kydstoun and Wormastoun. the lardis of bold. the lard of kyngsyid Wawis. the lard of gledstanys and the lard of Wodhows. (*H.*)

379. 12th Feb. 1517/8. Charter by John Zoung, carver ("Scissor") burgess of Edinburgh, and Jonet Redpath his wife, grand-daughter (nepos) and heir of um. John Redpeth burgess of Edr., To Alexander Zoung N.P. and his wife Elizabeth Borthuik and their heirs of the granters' piece of land of the low tenement of um. Henry Swift built with walls; and their waste land with the garden of the said tenement lying below the Netherbow of Edr. on S. of High Street, and between their low land on N., land of um. Wm. Schersmythy on S., land of um. Pat. Balbirny on W., and land of um. Rob. Lamb on E.,: Edinburgh, 12 Feb 1517/8: Witnesses, Henry Zoung goldsmith burgess of Edr., James Borthuik, Robt. Moffat, Sir Peter Fassintoun chaplain, Mr. Henry Spittale, Jas. Zoung, Notaries Public, and Wm. Paterson, serjeant of said burgh. (*H.*)

Seals of J. Z. and J. R., and John Mariorybankis baillie of Edinburgh appended in good condition.

380. 12th Feb. 1517/8. Instrument of Sasine following on the foregoing, by John Mariorybankis baillie of Edinburgh, Jonet Redpeth, her husband being removed, swearing upon the Holy Evangels, in open court held by the baillie, that she had not been forced to agree to the alienation: Done at the said tenement, 1 p.m. 12 Feb. 1517: Witnesses as before: James Zoung clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of baillie appended in good condition.

381. 9th March 1517/8. Renunciation, by way of Instrument by Laurence Craik, son of um. John Craik burgess of Peebles. To John Craik his brother of all goods belonging to him by decease of their father, and especially an instrument of sasine of the three acres on the East of Peebles pertaining to him through his office of King's serjeant (of Peebles) and also £12, the remainder of a larger sum contained in their father's testament: Done in the room of Sir Thos. Ewynn chaplain (Peebles) 10 a.m. 9 March 1517: Wituesses, Sir Thos. Ewynn, and Sir Wm. Somerwell, chaplains: Jas. Mccalzeane ygr., and Gilbert Myll: John Asloan, clerk S. And. dio., N.P. A.a. (*H.*)

382. 11th June 1518. Receipt, in vernacular, by Adam off Blakatyr off Nynyvar to Schir Alexander Romannos familiar servand to John Lord Hay of Zestyr for £5 on behalf of Beatrice Hume, relict of Andro Blakatare off that Ilk, in full payment of her third of the lands of Davys Dikis in Athcarmuir, promised to be paid by the said Lord to Wat Scot burgess of Edinburgh: At Edinburgh 11 June 1518: Witnesses, Alex. Browne, Robyn Sandersoune, and Rob off Gylqwhamyte burgess of Edinburgh. Signed, "Adam blakcad wt. my hand." (*H.*)

Paper. Apparently a holograph.

383. 3rd Aug. 1518. Receipt by Alisone Dowglas relict of Robert Blakatyr off that Ilk, to John Lord Hay of Zestyr for £3 in full payment of the byrun malis of her third of the lands of Davidis Dykis in Athcarmure: 3 Aug. 1518: Witnesses Jhoune the Hay, David ——, Alex. Lyndesay, John Makquat, Jas. Cokburne, and Sir Alex. Romannos N.P. Signed, "Alisone Dowglas wt. (my) hand at ye pen." (*H.*)

Paper, right edge eaten away.

384. 28th March 1519. Procuratory by John Craik, burgess of Peebles, to John Hay and John Creichtoune to resign the three acres, lying on the East of the burgh of Peebles, along with the office of Serjeant of the Sheriffdom of Peebles in the hands of James, Archbishop of Glasgow and Chancellor of Scotland and the Lord Regent, in lieu of the King his superior, in favour of John Lord Hay of Zestyr, Sheriff principal of Peebles: At Peebles, 28 March 1519: Witnesses, Sir James Stannos Dean of the Christianity of Peebles, Duthac Patersone, and John Lokhart burgesses of Peebles, Sirs Rob. Brewhous, and John Dykysoune, chaplains and Notaries Public. Signed, "Johne of crak wt. my hand." (*H.*)

Seal gone.

385. 11th May 1519. Retour of Inquest held in the Tolbooth of the burgh of Peebles by John Hay, Nicholas Quhypole and John Lokhart bailies, on 11th May 1519 before Alexander Horsburgh of that Ilk, William Vach of Dawik, Walter Hutoun of Polmoid, John Elphinstoune of Henderstone, Gavin Vach, (*Duthacum* Paterson) . . . . Geddas, John Amyr burgess of Peebles, William Fresal of Fruid, George Ruddyrfurd, George Elphinstone, John Patonsone, Thomas Houstone, William Cokburne in Dawyk and William Broune, for serving John Lord Hay of Zestir as nearest and lawful heir to the late John Lord Hay of Zestir his father, in two temple lands, one of which lies in the barony of Zestir, sheriffdom of Edinburgh and Constabulary of Hadingtone, and the other in the barony of Lyne and shire of Peebles, the first whereof is valued at 20s. scots and in time of peace 6s. 8d. scots and the other 12s. scots and in time of peace 4s. yearly. Which lands are held in chief of the Lord and preceptor of St. John of Torphichen for the yearly rents of 5s. and 12 pence respectively. Which lands were in the hands of the said Lord and preceptor of

Torphichen by the death of the said late John Lord Hay, who died in the field in Northumberland under the King's banner, by the space of five years or thereby. (*M.*)

The seals of eight of the members of inquest, more or less broken, are appended.

386. 25th Nov. 1519. Procuratory by Alan Zong brother and heir of um. John Zong burgess of Edinburgh, to Mr. Henry Spittaill, Henry Lawder, James Fowlis, Alex. Makneill notary, David Hammyltoun, and Alex. Zong burgess of Edr., to procure brieves of inquest from Chancery upon the said John's tenement near the Netherbow and also all his other lands, tenements, annualrents etc. in Edinburgh, which pertain to the said Alan through John's decease, and have him served heir and infefted in the said tenement, etc.: And Thereafter to resign in favour of the said Alexander Zong the tenement, pertaining to said John, lying below the Netherbow on the W. side of the venell called Blithis clois, between the land now pertaining to John Purves burgess of Edr. on N., waste land of said Alex. Zong on S., land of Rob. Tod and heirs of um. Alex. Anderson on W., and land of said um. Alex. Anderson on E. and to the foresaid David Hammyltoun all the other lands etc.: Edinburgh, 4 p.m. 25 Nov. 1519: Witnesses, James Hamyltoun burgess of Edr., Andrew Dalmahoy serjeant of the Sheriffdom of Edinburgh, John Crag in Est Nudry, Thos. Gibsoun, and John Borthuik: Notary John Meldrum clerk S. And. dio. N.P. A.a. (*H.*)

387. 24th Dec. 1519. Instrument of Sasine by Mr. James Haliburtoun, baillie of Edinburgh to Alex. Makneill, N.P., attorney for Alan Zong, following on the presentation of and narrating a Precept of Sasine from Chancery dated Edinburgh 22 Dec. a.r. 7, proceeding upon the service of said Alan Zong as heir to his brother um. John Zong in the subjects conveyed in No. 386: Done 8 a.m. 24 Dec. 1519: Witnesses, Edward Kincaid, John Purves, Robt. Tod burgess of said burgh, John Ur. and David Purves serjeant of said burgh: Co-notaries Jas. Meldrum and John Foular. (*H.*)

388. 24th Dec. 1519. Charter by Alan Zong, brother and heir of um. John Zong burgess of Edinburgh, to Alexander Zong burgess of Edr. and his wife Elizabeth Borthuic of his back (posterior) land below the Netherbow etc., as in No. 386. Undated and no witnesses. Signed, "Alane Zong wt my hand at ye pen." (*H.*)

Seal of Alan Zong appended in fair condition. The date of this charter is fixed by Nos. 386-7 and 389.

389. 24th Dec. 1519. Instrument of Sasine, following on the foregoing, by Mr. Jas. Haliburtoun baillie of Edinburgh and on resignation by Alex. Makneill N.P., as procurator for Alan Zong: Done 8 a.m. 24 Dec. 1519: Witnesses Edward Kincaid, John Purves burgess of Edr., Robt. Tod, and David Purves, serjeant of said burgh: Co-notaries, James Meldrum, and John Foular, clerk S. And. dio., N.P. A.a. (*H.*)

390. 20th Jan. 1519/20. Charter by Gilbert Hume of Barro in favour of Alexander Hume his son and heir apparent, of the lands of Barro, comprehending a half carucate of land containing two acres with half occupied by himself and the other half by the late Adam Lumbard, four particates of land in Crumbistrodur nearest to the Monastery of Newbatill; also that half carucate of land of the late Alexander Coci, with reservation to the granter of one acre of the said half carucate and four particates lying to the east thereof lying in the Lordship of Duncanlaw in shire of Edinburgh and Constabulary of

Haddington Holding of the granter and his heirs in fee and heritage for ever, for payment of one penny yearly in name of blench ferme. At Edinburgh 20th January 1519. Witnesses, Mr. Robert Galbrayth and William Blakstok, notaries, Sir John Young and Andrew Ch——, chaplains John Blakstok and Symone Fortoun. (*M.*)

Granter's seal complete.

391. 22nd Janry. 1519/20. Charter by John Lord Hay of Zestyr, with consent of his mother Elizabeth Creichtoune, to his kinsman John Creichtoune in liferent of the 40 sh. lands of Auchynnefaitrik, occupied by Jas. Myllykynne, Thos. Makgounne, Matthew Makgounne, and the wife of um. David Donaldson, within the barony of Snaid, Dumfriesshire: Paying a red rose yearly in name of blanchfirm: Castle of Neidpeth 22 Janry. 1519: Witnesses Mr. George Hay the granter's uncle, Thos. Myddilmast of Grevistoune, John Hay Uxstoune, Jas. Creightoune, Edmund Hay, Jas. Cokburne, John Makquiat, and Sir Alex. Romannos N.P. (*H.*)

Signed, and seal appended in good condition.

392. 12th April 1520. Instrument of Sasine by Richard Lundy baillie of Edinburgh to Thomas Blyth burgess of Edr. and Joneta Thorbrand his wife of a back land, resigned in their favour by John Purves, lying below the Netherbow on S. side of High St., between the fore land of said John Purves on N. lands of Alex. Zong on S., land of um. Alex. Andersoun on E. and land of Robt. Tod. on W.: Done 3 p.m. 12 April 1520: Witnesses, John Andirsoun, Stephan Bell, Wm. Cady, And. Watsoun, John Hendirsoun, John Thomsoun, Rob. Galbraith, Alex. Zong, N.P. and David Purves serjeant: Notary, John Foular. (*H.*)

393. 29th August 1520. Instrument of Resignation by Laurence Flemyng burgess of Haddingtoun, resigning an annual rent of 13 shillings 8 pence scots, furth of his tenement of land lying in the said town of Haddingtoun on the south of the market cross thereof, between the land of Robert Lausone on the East part, the lands of the chaplainry of St. Salvator within the parish church of Haddingtoun on the west; in the hands of John Hume one of the bailies of the said town, in favour of Master Robert Waltersoun provost of the Collegiate church of Bothanis, in name of the provost and prebendaries thereof. Dated 29th August 1520. Witnesses, Sir Henry Lawsone, Dean of Hadingtoun, Sir William Getgude, Sir Hugh Balde, chaplains, George Grenelaw, Robert Machlin, John Darg serjeand of the said town burgesses. Patrick Lauson is notary. (*M.*)

Seal gone.

394. 29th Aug. 1520. Charter by Laurence Flemyng burgess of Hadingtoun in favour of Mr. Robert Walderstoun, provost of the Collegiate Church of "ly Bothanis" and prebendaries of the said College of an annual rent of thirteen shillings four pence scots, furth of a tenement of land lying in the town of Hadingtoun on the south side of the Market Cross, between the land of Robert Lausone on the east part, and the land of the chapel of St Salvator founded within the parish Church of Hadingtoun by the late Mr. William Wawane, on the west; for which a certain sum of money was paid to the granter by the said Mr. Robert Walderstoun in name of Sir Andrew Dalyrumpill chaplain. Holding the said annual-rent from the granter of the King in fee and heritage for ever. The said Provost and prebendaries celebrating twice yearly the office for the dead, for the welfare of the souls of the said Sir Andrew and his predecessors. At Hadingtoun 29th August 1520. Witnesses, Sir Henry

Lauson Dean of the "Christianity" of Hadingtoun, Sir Hugh Balde, chaplain John Hume bailie of the said town, George Grenelaw, Robert Machlin Burgesses of the said town, Sir William Getgude, chaplain, Laurence Bell and Mr Patrick Lausone chaplain, Notary Public.

Seal gone.

394A. 13th Sept. 1520. Ane Sasine gevin be Johne lord hay of zester of the haill foure quarteris of linplum *propriis manibus* To Wame. hay of linplum of the dait the 13 of september 1520. *No.* 55, 1617 *Linplum Inventory.* (*H.*)

394B. 6th May 1521. Item ane contract under the forme of Instrument betuix Elizabeth douglass relict of umqle William ffraser of fruid on the ane pairt and John tuedy of drumelzear on the uther pairt Be the quhilk she dispones to him the maillis fermes and dewties of the landis of fruid of Mosfennan during the nonage of her bairnes dait 6 maij 1521 under the signe and subscriptioun of Johne Johnstoun notar. *No*, 9, 1632 *Drumelzier and Frude Inventory.* (*H.*)

395. 31st July 1522. Charter by Robert Carmychell burgess of Edinburgh, with consent of his wife Mariota Lyndesay, To Robert Tod burgess of Edr. of a waste land containing 9½ ells, and lying within the tenement of um. Alex. Graham between the ditch of the garden of said Rob. Tod. on S., and land of Wm. Lauder on N , which tenement lies near the Netherbow of Edr. on S. side of High St., between the land of said Rob. Tod on E. and land of um. And. Mowbray on W. : Edinburgh ult. July 1522 : Witnesses, Hugh Nicholsoun, Rob. Howysoun, Alex. Levingstoun, Gilbert Couper, Geo. Thomsoun, and David Purvess, serjeant. (*H.*)

Seals of Pat. Baroun baillie of Edinburgh, in token of sasine giving (much broken) Rob. C. (defaced) and Mariota Lindsay (in good condition) are appended.

396. 31st July 1522. Instrument of Sasine, following on foregoing, by Pat. Baroun baillie of Edinburgh : Done 9 a.m. ult. July 1522 : Witnesses as above : Notary, John Foular. (*H.*)

Seal of P. B. appended, in bad condition.

397. 25th January 1522/3. Precept of Clare Constat by John Lord Hay of Zestyr, baron of Snaid, to Alexander Cotis John Moffet, and John Kynzane his baillies to infeft Agnes Fergussone, as one of the heirs (eldest of three sisters) of um. Robert Fergussone of Brakansyde, son and heir of her brother Gilbert Fergussone of Brakansyde, in the £2 land of Brakansyde, lying in the barony of Snaid and shire of Dumfries, which had been in the superior's hands for 5 years since Robert's death ; Edinburgh, 25th January 1522. (*H.*)

Signed, seal gone.

398. 30th January 1522/3. Precept by George Lord Saint John, Preceptor of Torphichen to John Creichtoun bailie for infefting John Lord Hay of Zestir as lawful and nearest heir of the late John Lord Hay of Zestir his father in two templelands, of which one lies in the barony of Zestir and the other in the barony of Lyne (see No. 385). At Edinburgh 30th January 1522. (Seal of granter attached partly broken) On the back is the Instrument of Sasine following on said precept dated 2nd June 1523 and to which Edmund Hay, Thomas Hay, William Lempetlaw, John Gresoun and John Todrik serjeand are witnesses. Alexander Romannos is notary. (*H.*)

Paper.

399. 2nd April 1523. Presentation by John Lord Hay of Zester, Patron of the Collegiate Church of Bothanis, of Sir William Lowre chaplain, to the prebend of St. Marie in the said church, vacant by the death of Sir John Trotar last chaplain thereof directed to John Prior of St. Andrews for collation. At the Castle of Zester 2nd April 1523. Witnesses, Mr. John Hay "nostro germano" Sir Henry Getgud and James Cokburn. (*M.*)

Seal of granter in fair condition.

400. 23rd April 1523. Instrument of Sasine by Edward Litill baillie of Edinburgh To Robert Tod burgess of Edr. of a high and low land between the entry on the W. land of Margaret Sesfurd on S., and land of Wm. Lauder on N., lying within the tenement of James Bassendene on the S. side of High Street between the lands of um. And. Mowbray on W. and tenement of Rob. Tod on E. resigned by Robert Carmychell and his wife Mariota Lyndesay: Done 3 p.m. 23 April 1523: Witnesses, John Moffet, Alex. Paterson, John Huchesoune, Wm. Johnnestoune, John Wyndezettis and Thos. Arnot serjeant: Vincent Strathauchin clerk of S. And. dio., N.P. A.a. (*H.*)

Seal of Ed. Litill appended, in good condition.

401. 2nd June 1523. Sasine proceeding on Precept (No. 398) by George Lord Saint John preceptor of Torphichen, directed to John Creichtone temple bailie in that part, for infefting John Lord Hay of Zestir as heir to the late John Lord Hay of Zestir his father of the two temple lands (described in No. 385) Precept dated 30th January 1522. Sasine dated 2nd June 1523. Witnesses, Edmund Hay, William Fyildar, John Gresoune, William Lempatlaw and John Todrik seriand. Alexander Romannos is notary. (*M.*)

402. 2nd Jnne 1523. Instrument of Sasine by John Lord Hay of Zestir at the request of Dame Elizabeth Creichtoune his mother, Lady of Zestir, To Sir Hugh Bauld prebendary of the Collegiate Kirk of Bothanis and his successors in office, of a tenement of land lying in the town of Bothanis, on the south part thereof, belonging to William Lempatlaw commonly called Cosouris land, with a rig of land and Kiln lying on the south and west parts of the said tenement, near the cross which leads to the town of Gamilstone, lying in the said town and territory of Bothanis, barony of Zestir shire of Edinburgh and Constabulary of Hadingtoun. Reserving to the granter an annual-rent used and wont. In respect whereof the said prebendary binds himself and his successors to celebrate masses, &c., for the late John Lord Hay of Zestir who died in the field in Northumberland, the late King James IV. also slain there and the said Dame Elizabeth Creichtoun relict of said John Lord Hay when she shall die. Dated 2nd June 1523. Witnesses, Mr. John Hay of Blans, Thomas Hay in Bothanis, Sir William Lowry, John Barrye, Adam Lempatlaw, prebendary of the said Collegiate Kirk, Edmund Hay and John Creichtone. Alexander Romannos is notary. (*M.*)

403. 2nd June 1523. Instrument of Resignation by William Lempatlaw indweller in Duncanelaw, in the hands of John Lord Hay of Zestir, of a tenement of land, with pertinents viz.; with one rig and a Kiln lying in the town and territory of Bothanis on the south part thereof, within the barony of Zestir, shire of Edinburgh and Constabulary of Hadingtoun, in respect of a certain sum of money paid, and other good deeds done by the said Lord Hay to the said William his spouse and children: Dated 2nd June 1523. Witnesses, Mr. John Hay of Blans, Thomas Hay in Bothanis, John Creichtoun, Edmund Hay, Sir William Lowry, John Barrye prebendaries of Bothanis. Alexander Romannos is notary. (*M.*)

403A. 20th June 1523. Item ane Instrument taikin upon the sueiring of Nicoll Craufuird of Oxingangis shereff of peibles be his hienes commissioun that he sall faithfullie exerce his office in serving of the breves of Katherine frasser oy and aire to umqle. William frasser of fruid according to the tenour of the said commissioun daitit 20 Junii 1523 under the signe and subscription of Alexr. Zoung nottar. Item ane Instrument taikin upon the admissioun of the persones memberis of court for serving of katherene as narrest and laufull air to umqle. Williame frasser hir guidser daitit 20 Junii 1523 under the signe and subscriptioun of the forsaid Alexr. Zoung nottar. Item ane precept grantit be Johne lord hay of zester to katherene fraser as air to Williame fraser of the lands of fruide daitit 16 July 1523 sealled and subscrivit.

Item ane Instrument of seasing gevin conforme thairto of the dait the penult of maii 1533 (*sic*) under the signe and subscriptioun of Johne Johnestoun notar. *Nos.* 10, 11, 12, *and* 13, 1632 *Drumelzier and Frude Inventory. cf.* "Charter Chest of the Earldom of Wigtown," Nos. 461-2. (*H.*)

404. 13th Sept. 1523. Mortification by John Lord Hay of Zester to God Almighty, the Virgin Mary and St. Cuthbert for the sustentation of a chaplain to sing matins, vespers and masses and other divine offices in the choir of the Collegiate Kirk of Bothanis, and celebrating mass at the altar of the Holy Cross in the said church, conform to the foundation of the said altar, of a tenement of land with yard and pertinents lying in the town of Bothanis between the land of the late Alexander Lempetlaw on the south, the land of the chaplain of St. Edmund on the west, the King's way on the east and north, with one acre of arrable land occupied by John Smyth and two gresumes in pasture of Gammylstone and twa dawerkis of peittis or turoys. Holding of the granter in pure and perpetual alms gift. At Zestir 13th September 1523. Witnesses, Mr. Robert Waltsoun provost of the said Collegiate Kirk, John Creychtoun, James Cokburne, Thomas Hay, John Smyth, Sir John Barry and James Reglyntoun chaplains and Mr. James Kelle chaplain and notary public. (*M.*)

Seal of granter in good condition.

405. 14th Sept. 1523. Sasine following upon the foregoing Charter of Mortification by John Lord Hay of Zester in favour of Sir Hugh Bauld chaplain of the altar of the Holy Cross and his successors, of the subjects mentioned in preceding Mortification. Dated 14th September 1523. Witnesses (as before in No. 404). (*M.*)

Seal of Lord Hay of Zester slightly broken.

406. 20th Feb. 1523/4. Summons under the Testimonial of the Great Seal direct to Duncan Kid, Alan Stewart and James Cokburn his sheriffs, for summoning Nicholas Craufurd of Oxgangis and Edward Kyncaid sheriffs of Peebles, also William Cokburne of Ormystoun, James Gledstanis of that Ilk, James Murhed of Lauchop, John Lyndesay of Covintoun, John Grahame of Westhall, John Lowis of Mennar, Ninian Patersoun of Caverhill, William Burnet of Birnis, John Elphynstoun of Henderstoun, William Peblis of Crukstoun, William Portewys of Glenkirk, Richard Burn, Robert Burn, Adam Diksoun and David Gibsoun being upon the service of a certain breve of Inquest of the King's chapel impetrat by Katherine Fresall granddaughter of the late William Fresall of Frude, upon the lands of Frude, that they compear personally before the King and his tutor and governor John Duke of Albany and the Lords of Council. At Edinburgh or where for the time they shall happen to reside on the 1st of May next, to answer to us, and also at the instance of John Lord Hay of Zester, superior of the lands of Frud: for their disorderly and partial process in the conducting of the said breve, because the said Edward Kyncaid one of the said sheriffs was familiar servant to John Lord

Flemyng, and the said William Cokburn of Ormistoun was related to the said Lord Fleming in the second degree of affinity, having the ward and marriage of the said Katharine the said John Lyndsay of Covingtoun was related to the said Lord Fleming in the second and third degrees of affinity, John Lowis of Mennar, Richard Burn and Robert Burn were familiar servants to the said Lord Fleming, thus being suspect persons, were objected to by the said Lord Hay, and that they being on said inquest did by manifest error in the retour of the said breve value the said lands at forty merks yearly in time of peace 18 merks, whereas they are now valued at fifty merks yearly; also they delivered that the said lands held in chief of the said Lord Hay in blenche ferme, instead of by service of ward and relief, and that the said lands were in the hands of the said Lord Hay for the space of ten years, whereas they were in his hand and of his ancestors for twenty-three years; and that they were in his hands for ten years except the third part thereof being in the hands of the late Agnes Johnston for seven years of the said ten years by reason of terce, whereas they were all in the hands of the said superior. To see and hear them punished in their persons and goods for the said error. At Edinburgh 20th February 1523-4. (*M.*)

Portion of Quarter Seal appended.

407. 20th Feb. 1523/4. Another Copy of said Summons (as in No. 406) directed to John Creychtoun, Thomas Bennat and James Cokburn sheriff in that part, at the instance of the same persons against the same persons for the same error. And of like date. (*M.*)

Seal torn off.

408. 29th March 1524. Instrument of Procuratory by Master Thomas Hay, Canon of Aberdeen and first Secretary to the King, ordaining Master Patrick Arburthnot Doctor of Medicine, Sir John Makkane, Sir Thomas Manderstoun, his factors and procurators, as Dean of the Collegiate church of Dunbar, in the diocese of St. Andrews conferred on him by James Archbishop of St. Andrews Primate of Scotland and Legate. Done at Edinburgh 29th March 1524. Witnesses, Masters Alexander Turing and Patrick Haw presbiters of the dioceses of St. Andrews and Aberdeen and John Asloan notary public. John Thorntoune clerk is notary.

409. 30th May 1524. Receipt, in vernacular, by Patryk Blakatyr, sone and balze to Beatrice Hume relict of Andro Blakatyr of that Ilk, to Sir Alex. Romannos familiar servand to John Lord Hay of Zestir for 30 sh. in full payment of byrun males of Beatrice's third of lands of Davidis Dykis, Athcarmuir: Edinburgh 30 May 1524: Witnesses, Mr. Geo. Hay of Menzeane, John Nelsoun, John Walter, and Sir Alex. Romannos N.P. (*H.*)

Paper. Signed, "patrykic blacakyt."

410. 6th July 1524. Contract of Marriage, by way of Indenture in the vernacular, between Elizabeth Creichtoune lady of Zestyr, relict of um. John Lord Hay of Zestyr; John Lord Hay of Zestyr and Mr. John Hay, her sons: and Cristianne Hay, her daughter; on one part and William Stewart of Tracquare on the other, agreeing that William shall marry Cristianne before Lammes, callit *ad vincula sancti petri*, (1524) and infeft himself and her in conjunct liferent of 20 marks worth of land of the Barony of Tracquare, for which the said Elizabeth Lady Zestyr, Jhonne Lord Hay her sone and aire and the said master Jhonne hay are to pay 700 marks,—Lord Hay 500, and Lady Zester and her son Mr. John Hay the remaining 200,—in the following manner, namely, £100 and 50 marks at the completing of the marriage and the remainder in sums of 40 marks and 20 marks at the following feasts of Martinmas and Whitsunday; and, gif there be found any reason why William and Cristianne may

not lawfully remain together without a dispensation, then William is to obtain the needful dispensation from the Court of Rome at his own expense; and, if it should happen that William Stewart should succeed to the lands of Rudderfurd during the said Cristianne's lifetime, a further sum, to be fixed by friends, is to be paid him by the Hays in name of further tocher: Peebles, 6th July 1524: Witnesses, Thomas Myddylmast of Grevistoun, Alexander Tait of the Pyrnne, John Edingtoun of that Ilk, John of Creichtoun, John of Murray, John Myddylmast, and Sir Alexander Romannos N.P. (*H.*)

Signed "Wilzam Stewart," and seal impressed, badly broken. Paper.

411. 16th July 1524. Charter by Sibilla Berthrem spouse of James Halkerstoun, to Sir Henry Lausoun chaplain, of two acres of land lying near the town of Hadingtoun on the north part thereof; within "le Harparfeild" towards Harmanwell, between the land of Harparfeild on the east, and the land of the late Bartholomew Aytoun on the west. In respect of a sum of money paid by the said Sir Henry to her. Holding of the King from the granter in fee and heritage for ever. Paying yearly one penny silver in name of blench ferme, to the King as superior. At Edinburgh 16th July 1524. (*M.*)

Witnesses names not inserted. The seals of the granter and of her husband as consenting are appended, one of which is defaced the other in good condition.

412. 16th July 1524. Precept by Sibilla Berthrem spouse of James Halkerstoun, directed to Cuthbert Dikesoun, John Hume and John Riklintoun bailies in that part, for infefting Sir Henry Lausoun chaplain in the two acres of land specified in No. 411. At Edinburgh 16th July 1524. (*M.*)

Seals of the granter and her husband are appended in good condition.

413. 23rd July 1524. Confirmation of foregoing Charter under the King's Signet dated at Edinburgh 23rd July 1524. (*M.*)

Paper, signet has been attached but is almost entirely obliterated.

414. 31st March 1525. Instrument of Sasine following on the foregoing Precept, No. 412, in favour of Sir Henry Lausone of the said two acres. Dated 31st March 1524 (*sic.*, should be 1525). Witnesses, George Riclingtoun, John Wark, John Zuyle with Andrew Mayn. John Flemyng is notary. (*M.*)

415. 15th April 1525. Letter of Reversion, in vernacular, by William Nicholsoune in favour of John Lord Hay of Zestyr of a husband land, occupied by Jas. Runsymann, with houses toft and mansion lying in the west end of the town and barony of Zestir, sold to him by the said Lord, for the sum of £50 to be paid on the High Altar of the College Kirk of the Bothanis together with a 5 years' tak of said land at the old rent: Zestyr Castle 15 April 1525: Witnesses, John of Creichtoune, Alex. Lyndesay, Edmund the Hay, John Patyrsoune, Alex. Donaldsoune, Wm. Wilsoune, and Sir Alex. Romannos N.P. (*H.*)

Signed, "Wilzem nycolsoun wt. my hand at ye pen." Seal appended in good condition. Backed, "cancellat," and document slashed.

416. 15th April 1525. Acquittance, in the vernacular, by William Stewart of Tracquare to John Lord Hay of Zestyr for £70 in part payment of the tocher for "the contrakkyne off matriomone betuix me and cristiane the hay systyr to the said lord." Neypeth, 15th April 1525; Witnesses, Mr. John Hay of Blans, [illegible] the Vach, Mr. Robert Hay, John the Hay, Gylbert Grere, John Gresoune, and Sir Alexander Romannos N.P. (*H.*)

Signed by Stewart with his hand at the pen.

417. 22nd Aug. 1525. Copy Decreet of Perambulation by Patrick Baroune of Spittalfeld, Mr. Thomas Wemys and David Borthuik, burgess of Hadingtoun, having commission as Justiciars Depute from Colin Earl of Argyle, Justice General of Scotland, to perambulate the Marches between the lands of Newlandis, Carfra and Nunhopis *alias* Zestirhopis with their pertinents, pertaining to Elizabeth prioress of the Abbey of Hadingtoun and religious women and convent of the same, on the one part, and the lands of Duncanlaw, Zestir and Park of Zestir, with their pertinents, pertaining to John Lord Hay of Zestir on the other part, lying in the Sheriffdom of Edinburgh and Constabulary (of Hadingtoun), whereby they in a fenced court on 22nd August 1525, and before an assise consisting of Richart Maitland of Lethingtoune, Alexander Dalmahoy of that Ilk, Andro Wardlaw of Warestoune, James Aldinstoune of that Ilk, John Livingtoune of Saltcotis, David Myrtoune of Camno, James Wawane of Stevinstoune, William Lermont of the Hill, Patrick Ogill of Hartrumwod, Master Henry Hepburne in Elstanefurd, Robert Carnis in Saltoune, John Houstoune in Lany, Thomas Cranstoun in Doddis, Master Thomas Cunyngham, Alexander Monypenny, Alexander Hume in Haliburton, Thomas Ewyne, burgess of Edinburgh, Richart Gudalls in Fortoune, Patrik Masone, George Masone and Alexander Uchterstoun in Grenlaw; perambulated the saids lands as follows, viz.:—"Begynnand at the Heslisid Knok and fra that descendand north langis ane ground of ane auld dyke on the west syid of ane balk quhil it cum to ane schele callit Hyrdman schele *alias* le Cawarschele and fra thine north est discendand in the watter of Zestir and fra thine gangand downe the said wattyr to Doddisburne fut quhar the sammyn burne fallis and enteris in the said Watter of Zestir, and fra that evin up Doddisburne to the hed tharof uthirwayis callit Doddishawch heid and fra thine south est le slaid to the standand stane utherwayis callit pykyt stane quhilk is the heid of Innerkent and fra thine downe to the heid of Innerkent burne passand downe as the said (burne) rynnis, and als the forsaid assis fand and deliuerit that the est end and part of Crumbystrudyr myr sa far as lyis betuix (the priores and conventis propir landis of Carfra on baitht the sidis tharof to ane auld march dyke on the north part and the marche —— the southt part of the said myre pertenis to thame in propirte and fra thine gangaud west the said myre the south halff tharof pert(tenis to) the said priores and convent and thar lands of Carfra contigue adjacent tharto in propirte and the north halff of the sawmyn to the s(aid) Jhone Lord Hay of Zestir and his lands of Duncanlaw contigue adjacent tharto in propirte without he schaw ane sufficient boundand charter of the said hale myre, and this without prejudice of the Abbot and convent of Newbottillis clame and interess to ane part of the said myre to be schawin at tyme and place convenient gif thai ony haf." And ordain the said bounds to be marked by tree or stone by the parties. (*M.*

418. —— Aug. 1525. Interrogators to be demanded at the witnesses to be produced for the prioress and convent of the Abbey of Haddingtoun anent the action moved by them against John Lord Hay of Zestir, for the alleged stopping of carts from passing through the common gates. (*M.*)

No date. Paper.

419. —— Aug. 1525. Another copy of above, with some additional questions. (*M.*)

No date. Paper.

420. —— Aug. 1525. Petition by John Lord Hay of Zestir to the Lords of Council showing that as he had inhibition by their deliverance to the prioress of Haddington, that she make no innovation by tilling of the lands between Nunhopis and Zestir and Duncanlaw, nor pasturing of cattle, otherwise than formerly prior to the foresaid perambulation, till the third day of this session,

and praying that they would retreat the perambulation for error committed by the Inquest therein, and beseeching them to call his summons and do justice therein or grant him a new inhibition till the summons be called. (*M.*)

Paper. No date.

421. —— Aug. 1525. Form of charge by the Prioress of Haddingtoun following upon a letter from the Officials of Lowdiane, charging all those who know of any bounding Charters, evidents or documents relating to the marches, or has given council or consent to the hiding or destroying of such documents, to compear or send within nine days and to reveal and restore the same to Lord Hay of Zestir, under pane of "gret cursyn and of puttyn owt of the candill of zow and zour namys to be put owt of the buk of lyff and men and ze to duell ever mair witht the devillis in hell." (*M.*)

Paper. No date.

422. 27th Nov. 1525. Instrument of Resignation by Agnes Lystayr, daughter and heir of the late Thomas Lytstayr, burgess of Hadingtoun, of the entry and ishe of the front gate and yard of the tenement of the late Walter Bertraym between the land of the late Thomas Brown on the south and the land of the late John Dudion on the north, in the hands of John Home, bailie of the burgh of Hadingtoun, in favour of Sir Henry Lausone, rector of Aldcathe. Dated 27th November 1525. Witnesses, William Fourros, Henry Fourros, Master George Sydserth, Sir William Getgud chaplain, Thomas Waus with John Lauder, tenant. John Flemyng is notary. (*M.*)

423. 29th Nov. 1525. Letters under the Signet, at the instance of John Lord Hay of Zester, to Alex. Cotis and John Moffat to summon Thos. Wilsone in Craigloure to compear before the Lords of Council at Edinburgh on 16 Janry. next to hear the letter of assedation made to him by the said Lord, as heir of um. Sir John Hay of Snaid knt., of the lands of Wormanstoun in Snaid for 3 years following their redemption in terms of a letter of reversion by um. Gilbert Wilsone his father to the said Sir John Hay Be Decerned of nane avail and the said lands to be free in the hands of Lord Hay, Because the said letter of tak was made through compulsion through the said reversion far within the just avale, for the said lands wer sett of before and gevis zitt 18 bollis of vittale of nythisdale mett zeirlie, but were set to the said Thomas for 9 bolls and sua ar sett for half the iust avale thairof expres contrar oure act of perliament maid anent assedatioun of wedsett landis: Edinburgh, penult Nov. a.r. 13. Signet impressed and signed J. Chepman. Endorsement bears that on 18 Dec. 1525 Alex. Cotis charged Thos. Wilsoun in Craglory, witnesses, John Tagart, Jas. Malykyne, Matho McGouin, and John Heroun. (*H.*)

Signet, paper on wax.

424. 8th March 1525-6. Submission between Elizabeth prioress of Haddingtoun and convent thereof on the one part, and John Lord Hay of Yestir on the other part, to abide by the deliverance of the arbiters following viz.: for the part of the said prioress and convent Thomas Barclay of the Rynd and Mr. Robert Galbraitht burgess of Edinburgh, and for the part of Lord Hay Gilbert Wauchope of Nudry Merschell and Master Henry Spittaill burgess of Edinburgh, and of William Sincler of Hirdmistoun as oversman, anent the debait between them regarding the marches of the lands of Nunhope, Newlands and Cantra pertaining to the said prioress and convent and the lands of Yestir and Duncanlaw pertaining to the said Lord Hay, also anent a perambulation [illegible]led upon the marches of the said lands by Mr. Thomas Wemys and anent a summons of error raised for reduction thereof by Lord Hay, and anent the plea depending between the said parties upon 1000 pounds sterling claimed by

the said prioress and anent the proper possession and ground right of the lands debaitable between them, Parties to convene at the "pykit Stane" on 21st March instant, and the arbiters to give their deliverance within twenty days thereafter. At Edinburgh 8th March 1525. Witnesses, William Scot of Balwery Knight, John Edmonstoun of that Ilk, Master John Hepburn of Beynstoun, Sir Alexander Romannos chaplain and Master George Forster. (*M.*)

Paper.

425. 8th March 1525/6. Copy of the foregoing. and also of No. 426. 9th April 1526. On the back is also a copy of a Letter under the Privy Seal dated 1470, see 159A. (*H.*)

426. 9th April 1526. Decreet Arbitral given by Gilbart Wauchope of Nydri-Merschell and Maister Hendre Spetaill, arbitors chosen for the part of John Lord Hay of Zestir, anent the divided stetting of methis and merchis betuix the lands of Nunhopis, Newlandis and Carfra pertaining to Elizabeth Lady Prioress of Hadynthone and convent of the same on the one part, and the lands of Zestir and Duncanlaw pertaining to the said Lord on the other part, and anent a perambulation lately led upon the dividing of the said lands, and also anent the summons of Error raised by the said Lord for retreating of the said perambulation, and anent the plea of 1000 pund sterling movit by the said Lady Prioress against the said Lord before the Bishop of Dunkeld's Commissar; They decree as follows "Anent the merchis betuix the landis of Zester and the Nunhopis on the west syd we ordand the marchis that ar auld contenit in the boundand charter producit be the sayd Lady Prioress to be observit in tymis to cum quhill it cum to the Hesliknok and ordanis fra thyne to be kepit discendand fra the said Hesliknok to la Lewar schelis as the said Charter beris expresly and fra thyne to the watter of Zester and sa downe quhill it cum to the fuit of Dodis burn and sa wp Dodis burn quhil it cum to the heid of the burn besyd the marche grayne and fra thyne southest the slak quhill it cum to the stane callit the southt pikit stane endlyne the ryg of the hill and fra the southt pykit stane eist to the roid that cumis wpe fra the eister heid graine of Innerkempe safer upe as the southt twa stanis liis erdfast and fra thyne southt ordinis all the remanent to be haldyn propirte to the Lady Priores and convent of Hadynthane to the watter of Sesua (Faseny) and fra thir merchis north wart the propir to the Lord Zeistir," They further ordain the Crumstruymyr to be common between the said parties, Discharge the plea for 1000 punds sterling and ordain the summons of error to cease. At Edinburgh 9th April 1526. Witnesses, Archbald Scowgal, William Erl, Richart Borthyk and Gawyn Coluil. (*M.*)

Paper.

427. 10th April 1526. Confirmation by William Sincler of Hirdmanstoun as oversman in the foregoing Submission of the Decreet Arbitral pronounced at Hirdmanstoun 5th April 1526 by Thomas Berclay of the Rynd and Master Robert Galbraitht arbiters chosen for the said prioress and convent, who having heard witnesses for both parties and also having seen a "boundand Charter" and an old perambulation made before the late Alexander Duke of Albany and the new perambulation made before Mr. Thomas Wemyss; decern that the persons who passed lately upon the inquest for serving the said breif of perambulation has justly set the marches of the saids lands and that they have justly made the myre of Crummerstruthir proper to the said prioress and convent within the marches as therein specified, and ordains them to have effect, assoilzies all persons of inquest from the summons of error foresaid, they also ordain the prioress and convent to suffer the said Lord Hay and his tenants to win peats for their feul only "all west through the samyn myre fra the marche dyke of their lands of Carfray on the north part and the marche stanis fornent the samyn dyke on the south part of the myre without hurt of their manurit lands

liand on the south syd of the said myre" and in case they do not get sufficient feul therefrom, they counsel the prioress and convent to suffer them to win feul, within the said myre fra the saidis merche dyke and stanis to the flaik brig and na forder eist without hurt of their proper land on ilk syde thereof, they asking special licence and tollerance of the said prioress and convent thereto; and also to suffer them to win turfs on their muris on similar tollerance, And anent the 1000 pounds sterling claimed by the said prioress they assoilzie the said Lord Hay thereof in case he accept this decreet and otherwise ordain them to pursue the same orderly by law; Witnesses to the Decreet, Patrik Hepburn, Master of Halis, Master John Hepburn of Benestoun, Thomas Fiff, Schir Williame Scott, chaplain and Schir Jhone Dausone notary public; Confirmation dated at Hirdmanstoun 10th April 1526. Witnesses, David Rantoun of Bille, John Sincler of Blance, Mr. Archibald Rantoun, Schir Cuthbert Myltoun, chaplaine Thomas Fiff, Master Bartilmo Kello, Schir George Lok and Symon Fortoun. (*M.*)

Paper.

428. 10th April 1526. Another copy of the foregoing Confirmation. (Paper.) (*M.*)

429. 19th April 1526. Instrument, at the instance of John Lord Hay of Zester, narrating that Dame Elizabeth Cunynghame, relict of the late John Lord Hay of Zester, made the present lord her governor and rector of her house and family, and promised to abide by the rule and order of the said Lord and his management of all her lands, especially Beltoune; and thereafter the said Lord promised never to disturb the said Dame in possession of her lands of Beltoune: undertook to provide all necessaries for the said Lady; and, at her desire, gave the prebendaries of the College Kirk of Bothanis an annualrent of 20sh. to say masses for the souls of the late Lord Hay, her spouse, and the said Elizabeth: Done in the College Kirk of Bothanis, 3 p.m. 19 April 1526: Witnesses, Sirs Wm. Lowrye, John Barnabye, Hugh Bauld, John Daile, John Hendersoune, chaplains and prebendaries of the said Kirk, Thos. Hay, and John Creichtoune: Alex. Romannos Notary. A note testifies that, on 22 May anno 31, Mr. John Letham asked an instrument of the form of this instrument, witnesses, Bishop of Ross, Dean of Dunbar, Laird of Wauchop nudry and Mr. fr. berthuik, in the Place of the Friars Preachers. 11 hour. (*H.*)

429A. 18th May 1526. A precept of clare constat grantit be Jhon Lo. hay of zester to George broun as air to Jhone broun of coalestoun his gudscher of a croft of land callit caudlis orchart and of ane annuell rent of 20 sh. yearlie to be tane frorth of the tenement of wmqll david barnes as also ane other tenement of land sometyme perteining to Martine Matlant all lying within the broch of hadingtoun daited 18 may 1526. *No.* 1, *17th Century* "*Minute of Vassalis Writes of some landis about Hadington.*" (*H.*)

430. 23rd Sept. 1526. Procuratory, in vernacular, by John Lord Hay of Zestir baron of Snaid to Alex. Cottis, John Moffat, John Heroune, and Duncan Kyd to warne Thos. Wylsoune, son and heir of um. Gilbert Wilsoune, personally, at his dwelling-place, or "apone ane solempnit haly day or sonday in the tyme of the hye mess oppynly in his paroch kyrk befor the curat or ane notar tyll comper In the paroch kyrk off dalry callit sanct Jhonnis clauchane" on 30th Oct. next, and receive the redemption money with a letter of tack for redeeming and owtquyting the markland called Gilmoristoune in terms of a rev[illegible]on made by the said G. W. to um. John Lord Hay of Zestir: Belton, 23 Se[illegible] 1526. (*H.*)

Signed, and seal impressed, badly broken, on paper.

431. 10th April 1527. Decreet Arbitral by Wm. Ingless, Pat. Gray, and Wm. Zowng arbiters chosen by Gilbert Inglis of Mordostoun, and Lucas Grenschelis of that Ilk, oversman chosen by both parties, Anent the hawch betwixt the lands of Allantoun pertaining to John Lord Hay of Zestir and the lands of Casstell hill pertaining to the said Gilbert. Finding that the said hawch is mad be ane breik of vatter and is part of the said Gilbert's lands and should pertain to him in heritage: Mwrdostoun, 10 April 1527: Witnesses, Jas. Moreheid of Lewchop, Sir Thos. Kyng wecker (vicar) of Schottis, John Jak, Wm. Smaill, and Thos. Browne. (*H.*)

Signed by Arbiters and oversman with their hands led at the pen. Paper.

432. 15th May 1527. Reversion by William Nicholsone and Isabell Dyksone his spouse, to John Lord Hay of Zestir, of an husband land with pertinents, lying within the town and fulze of Zestir barony thereof. Sheriffdom of Edinburgh and Constabulary of Hadingtone, presently occupied by James Todryk, redeemable for payment of fifty pundis scots, and delivery of a five years' tak of the said husband land on the redemption thereof, to the saids William and Isabell. At Zestyr 15th May 1527. Witnesses, John of Creichtoune, Andro the Hay, Hew Wod, Alexander Lyndesay, John Patyrsone, Alexander Donaldsone, Robyn Erskyn, James Morhame and Sir Alexander Romannos notary public. (*M.*)

The seals of both the granters appended in good condition.

433. 24th May 1527. Agreement between John Lord Hay of Zestir and Jonet Turning, relict of Wm. Adamsone burgess of Edinburgh, whereby Jonet sets to the said Lord her land and tenement within the closs of the samyn togidder witht the foir chalmer of the said tenement except the bake houss of the nethir sellar of the foir land liand at the nethir bow of the said burgh on the north syd of the Kingis streit of the samyn betuix the land of Alexr. cant on the west part and the land of umquhile Andro elphinstoun on the est part quhilk land and tenement contenis hall chalmer loft keching witht the loft thairof twa sellaris ane stabill witht ane litill loft abone the said stabill and the foir chalmer of the said tenement for one year, entry at Whitsunday next: Paying yearly 16 marks at two usual terms, Witsonday and Mertymes in winter: And gif it sall happin the said Jonet to mend the said houss etc. and mak gret cost and expenss thairapone the said lord frathyne furth shall pay more rent as is to be agreed upon, or leave if he cannot agree with William Adamsone, son of the said Jonet: Edinburgh 23 May 1527: Witnesses, Alex. Adamsone, the laird of Tallow, Jas. Creichtoun, and Alex. Zoung N.P. (*H.*)

Signed, "Jhon lord hay of Zester."

434. 15th June 1527. Charter by King James V. under the Great Seal, in favour of George Lord Seytoun and Elizabeth Hay his affianced spouse, and the survivor of them in conjunct infeftment, and their heirs, of the lands of the town of Wyncheburgh, lying in the barony thereof and shire of Linlithgow, on resignation by the said Lord Seytoun; and granting that notwithstanding the said resignation the said lands shall still remain part of the free barony of Wyncheburgh; Holding of the King and his successors in fee and heritage and free barony for ever; for the usual services of the said barony as before said resignation. At Edinburgh 15th June 1527. Witnesses, James Archbishop of St. Andrews, Gavin Archbishop of Glasgow, Gavin Bishop of Aberdeen, Clerk Register and of Council, Henry, Bishop of Whithorn, and of the chapel Royal of Stirling, Archibald, Earl of Angus, James Earl of Arran, Hugh, Earl of Eglingtoune, Patrick prior of the metropolitan Kirk of St. Andrews, William Abbot of the Monastery of the Holy Cross near Edinburgh, Archibald Douglas provost of Edinburgh, Treasurer, Mr. Thomas Erskin of Haltoun, Secretary and James Colvile of Ochiltrie, director of Chancery. (*M.*)

Great Seal appended complete.

435. 26th Sept. 1527. Charter by Elizabeth Hepburn prioress of the Monastery of Hadingtoun and convent thereof, in favour of Henry Kerintoun of a tenement of land lying in the Nungait between the land of Henry Kerintoun on the west and the land of John Wilson on the east, as also three particates of land lying in "le Braidcroftis" between the land of the late Andrew Mersour on the east, and the land of John Getgud on the west, and an annual-rent of eight pennies furth of the tenement of the late John Puddill: all which were resigned by John Kerintoun in favour of the said Henry. Holding of the granter in fee and heritage for ever. Paying yearly for the foresaid tenement of land four pennies and for the said three particates nine pennies scots; At the said Monastery 26th September 1527. Witnesses, Mr. John Hepburne of Benstoun, John Hepburn rector of Dawry, Thomas Dikson and Sir Thomas Quhit notary public. (*M.*)

The Seal of the Prioress is appended in good condition.

436. 26th Sept. 1527. Precept following on the foregoing charter by Elizabeth Hepburn, Prioress of Hadingtoun, in favour of Henry Kerintoun, directed to George Hepburn, bailie, for infefting said Henry in the subjects therein mentioned. At the said Monastery, 26th September 1527. Witnesses, as to the charter. (*M.*)

Seal of Prioress in good condition.

436A. 26th Sept. 1527. Instrument of Sasine following on the foregoing Precept in favour of Henry Kerintoun, of the tenement, etc., therein referred to. Dated 26th September 1527. Witnesses, John Henschaw, John Etstoun, John Wilsoun, Andrew Jonston, Luke Hepburne, Andrew Kerintoun and Adam Kerintoun. Thomas Quhit is notary. (*M.*)

437. 21st. Dec. 1527. Instrument on the Presentation to John lord Hay of Zester by John Perdovene, macer, of Letters under the Signet charging to set his grandmother, Elizabeth Lady Zester, at liberty within 6 hours; the Declaration by Lord Hay that she had remained of her own free will within his place of Beltoun conform to a compact between them; the Departure of the said Lady with the said John Perdovene and other honest servants; the solemn Protest by Lord Hay that she now left of her own free will; and his request for instruments thereupon: Done at the Place of Beltoun 1 p.m., 21 Dec. 1527: Witnesses, John Perdovene, macer, John Creichtoune, Andrew Hay, Rob. Manderstoune, Jas. Geddas, Edmund Hay, and John Wilsoune: John Manderstoune, notary. (*H.*)

438. 21st. Dec. 1527. A duplicate of the foregoing on paper. (*H.*)

439. 19th August 1528. Letters under the Signet to the Sheriff of Edinburgh within the Constabulary of Haddington and his deputies, narrating that, whereas John Lord Hay of Zester has shewn that, although he was lawfully given possession of the lands of Beltoun, which pertain to him in heritage, in the year after the "field of Flodoun" his guddame Elizabeth Cuninghame and her complices in her name have wrongfully kept the said lands since Flodden and will give him no payment of the profits, therefore the said sheriff is charged to take cognition of the said matter, holding a court in the Tolbooth of Edinburgh thereanent, which shall be as lawful as though it were held in the Tolbooth of Haddington; and, gif it be found that the said Elizabeth withholds them wrongfully, to cause her to surrender the said lands and refund the rents: Signing, 19 August a.r. 15. (*H.*)

Signet impressed, and signed: "J. Chepman."

440. 9th Oct. 1528. Sasine proceeding on Precept from chancery directed to the bailies of Hadingtoun, in favour of Adam Lauson, burgess of Hadingtoun, as lawful and nearest heir of the late Sir Henry Lauson, rector of Aldcathe, his brother, in a tenement of land with yard lying on the west part of "lye Hardgait" of the town of Hadingtoun, between the lands of John Mason on the north and the lands of the late Thomas Broun on the south. Precept, dated at Edinburgh 1st October (16th year of the King's reign) 1528. Sasine dated 9th October 1528. Witnesses, John Burrell, John Lauta, John Waik, John Wauch, James Biris, Mathew Brounhill, Alexander Stoddom, Robert Wilsoun, and Stephan Ross. John Flemyng is notary. William Kemp, bailie of the Burgh of Hadingtoun, is bailie and appends his seal in sign of Execution of the Precept. (*M.*)

441. 10th Oct. 1528. Apud Edinburgh decimo octobris Anno domini millesimo quingentesimo vicesimo octavo. Maister robert calbraitht in name and behalf of Johnne lord hay of zestir askit Instrumentis That he offerit him in Name of the said lord to deliver the castell of beltoune to the lady beltoune or ony utheris that scho wald send witht her power to ressave It/or that the lordis wald name thairto witht the gudis being thairin betuix and to morne at evin And that he suld recompens the dampnage and Interess sustenit be the said lady in defalt of wanting of the said castell and gudis beand thairin sen the day that the samin suld have bene deliverit to hir contenit in ane compromit And thairfor protestit that the summondis rasit be the said lady agane the said lord suld nocht be callit bot the compromit suld stand in effect in tyme tocum hora xa.

Ita est in libris consilii.
Alexr. Scott notarius in premissis. (*H.*)

442. 16th Oct. 1528. Instrument upon the delivery by John Lord Hay of Zester to George Dunbar, procurator of Dame Elizabeth Lady of Beltoun and Zester, of the Place of Beltoun and the plenishing and goods there, as detailed in a long inventory which is embodied: Done at Beltoun 16 Oct. 1528, 10 a.m., and instruments taken at the instance of Sir Thos. Manderstoun, in name of the said Lord: Witnesses, John Story, Jas. Nesbet, John Neilsoun, and Andrew Cunnynghame, John Manderstoun chaplain N.P. (*H.*)

Paper.

443. 16th Dec. 1528. Extract Decreet by the following Lords of Council, Gawyne Archbishop of Glasgow, Chancellor, Gawyne Bishop of Aberdeen, Colyne Earl of Ergile, Hew Earl of Eglintoun, Thomas Abbot of Kelso, Alexr. Abbot of Cambuskynneth, James Abbot of Dryburgh, Geo. Lord of Sanct Johnnis, Mr. Rob. Forman Dean of Glasgow, Sir John Dingwale Provost of the Trinity College, Wm. Scott of Balwery knt., Mr. Adam Ottirburn of Auldhame Advocate to the King, Nicholl Craufurd of Oxingangis Justice Clerk, and Mr. Jas. Lawsoun burgess of Edinburgh, in the action by John Lord Hay of Zestir against his gudame Dame Elizabeth Cunynghame Lady Zester because, although the arbiters Wm. Lord Borthwic and Geo. Lord Setoun, in the dispute between them had ordained Lord Hay to deliver to her the house of Beltoun and goods therin, and he had done so, nevertheless his gudame, throw perversit counsale, refuses to fulfil her part: Decerning the said Lord Hay, present personally, to restore and deliver again to the said Dame Elizabeth, comperand be Mr. Geo. Hay her procurator, the goods about the place and house of Beltoun, and both parties to compromitt agane of new in the said mater that finale end may be had: Extracted and signed by Sir Alex. Scott, depute of Gavin, Bishop of Aberdeen, Clerk of Rolls, Register, and Council: Edinburgh, 16 Dec. 1528. (*H.*)

444. 25th Janry. 1528/9. Decreet Arbitral by James Archbishop of S. Andrews Primate and Legate of Scotland, Wm. Scott of Baluery knt., Sir John Dyngwall Provost of Trinity College, Mr. Franciss Bothuill, and Mr. Jas. Lausoun, burgesses of Edinburgh, Arbiters chosen betwixt David Abbot of Arbroath and John Lord Hay of Zestir anent the nonentry of the lands of Athcarmuyre and the males, fermes, and dewiteis of the samyn sen the decess of umquhle Schir Johnn hay fader to the said Lord hay in the zeir of god jm vc and threttin (1513) zeris to the dat of thir presentis, Decerning the said Abbot to give Lord Hay a precept of sasine of the lands of Athcarmuyre for removing all doubts as to the validity of his sasine obtained before ; and the said Lord Hay to pay to the said Abbot 200 marks, 100 upon delivery of said precept of sasine, and 100 at Lammess next, in full discharge of all males, etc., claimed as above : Edinburgh, 25 Janry. 1528. (*H.*)

Signed by the Arbiters. Paper.

445. 20th Feb. 1528/9. Acquittance in vernacular by David Abbot of Arbrothok and the Convent thereof To John Lord Hay of Zestir, son and heir of um. John Lord Hay of Zestir, of the haile nonentres of all and sindry his landis of athcarmure, within oure regalite of Arbrothok and shire of Lanark, and the mailes, fermes, gressumes, and uthir dewiteis quhatsumevir taken by him or his predecessors before the date of this acquittance For a certain competent sum of money paid by him : At the said Abbey, 20 Feb. 1528. Signed. David de Aberbrothok, Johannes Wardlaw ad Id., Johannes bad supprior manu propria, Thomas saydlar, Jacobus hamtoun, Jacobus Fresar, Alexandar Scot, Johannes Logy, Alexander Dick, Willelmus Wedderburne, Patricius Cargill, Robertus Ewart, Patricus Murray, dauid teynd. Willelmus cramme, Thomas scot, Valterus baldowy, Willelmus ouchterlony. Fragment of Common Seal of the Abbey Chapter appended. (*H.*)

446. 3rd March 1528/9. Instrument of Assignation by David Abbot of Arbrothok to Nicholas Carncorss burgess of Edinburgh, of a sum of 200 marks due by John Lord Hay of Zester, in complete payment of a sum due to said Nicholas for merchandise Done, at the instance of Mr. Thos. Hoy, procurator of said N.C. in the College Kirk of B.V.M. of the Fields near Edinburgh, 10 a.m. 3 March 1528 : Witnesses, Masters Barnard Bailze, and David Pardowin : John Cowtis, clerk of Aberdeen dio., N.P.A.a. (*H.*)

447. 8th March 1528/9. Extract Protestation by Master Henry Spittale procurator for John Lord Hay of the Zestir that as the summons intentit against him by Mr. George Hay his "eme" was pursued and called he being in the King's service, and at the time of calling thereof all his defences were reserved to him when the Lords received certain witnesses ; and because when the calling thereof came to his knowledge he compeared before the Lords and alledged as above, desiring the witnesses produced against him to be reproduced that they might be examined upon his interrogators, which the Lords refused. And thereafter the said Lord Hay produced cursing against the said Mr. George wherefor the said Mr. George was repelled "ab agendo." And that the said Lord Hay protested that he be not held to answer till summoned of new, as in the case of Lord Somervell and John Somervell and if the Lords would proceed contrary thereto he protested for nullity of process and remeid of law and asked instruments. At Edinburgh 8th March 1528. Extracted from the Books of Council by Alexander Scott, notary. (*M.*)

Paper.

448. 11th March 1528/9. Precept by John Lord Hay of Zester and baron o Snaid To John Moffet, John Heroun, and Rob. Aikin serjeants of the said barony to pass to his lands of Dardaroch and Voidend and warn John of

Cunnyngham of the Byrkschaw to remove from the said lands; to the 40sh. lands of Authinforkyk which um. John of Crechtoun held in liferent, and warn the tenant to remove; to the twa pairt of Gordonstoun and warn Roger of Cunnyngham; to Gilmestoun and warn Pat. Meliken; to Mclarinstoun and warn the occupiers; to the half markland, which John Kyd last occupied, and warn the tenants; to the Byrkschaw and warn the inhabitouris because they broke "my rentale bringand in ane new tenand without my awis," all to remove at the Term of Whitsunday; and also to hold a court at the courthill of Snaid on 20 April next and warn thairto all frehaldaris, tenentis, bludwyttis, deforcementis, brekin of arrestmentis, seising of cornes, and als Thom Wilsoun in speceale for sic caussis as I have to say to him, and Roger of Cunnyngham to heir his tak brokin for brekin of the rentale:
Neidpeth 11 March 1528. signed Jhon lord hay of Zester and barron off the snaid. An endorsement bears that the Court was held on the 20 April 1529 at the Courthill of Snaid by Alex. Cottis, baillie to Lord Hay, and continued to the 22nd: Robert Haly, Dempster; John of Moffet, officer, and John of Kynzern, clerk. (*M.*)

Paper.

449. 20th April 1529. Sasine on Precept from Chancery direct to the Sheriff and bailies of Edinburgh within the Constabulary of Haddingtoun for infefting Adam Lauson burgess of Haddingtoun as lawful and nearest heir of the late Sir Henry Lauson, rector of Aldcathe his brother, in two acres of arable land lying on the north part of the town of Haddingtoun between the lands of Harperdeyn on the east and the lands of the late Bartholomew Aytoun on the west. Dated at Edinburgh 4th November (the 16th year of the King's reign) 1527-8. Alexander Hepburn burgess of Haddingtoun is bailie and John Flemyng is notary. Sasine on 20th April 1529. Witnesses, Adam Wod, James Thynne, Andrew Creuk and Stephen Ros tenant. (*M.*)

Seal of the said Alexander Hepburn is appended.

450. 12th June 1529. Instrument of Sasine to John Lord Hay of Zestir by Wm. Robesoun following on and narrating a Precept of Clare Constat, dated at the Abbey 20 Feb. 1528, by David Abbot of Abirbrothok and the Convent thereof in favour of said Lord as heir of his father, um. John Lord Hay of Zestir, in the lands of Athcarmur: Done at the said lands 9 a.m. 12 June 1529: Witnesses, Gilbert Inglis of Murdostoun, Alan Stewart, Rob. Arkin, Andrew Blaikwoid, Geo. Hay, and Alex. Donaldsoun: John Manderstoun Notary. (*H.*)

451. 3rd Aug. 1529. Decreet Arbitral by Master Alexander Hay person of Torref, Master John Hay provost of Guttry, Gilbert Wauchop of Newdrymerchell and Master John Hay of Smeithfeild, in the Submission by Mr. George Hay of Menzeane and John Lord Hay of Yestir arising out of a summons of spulze obtained by the said Mr. George against the said Lord Hay, and all other debates between them; decerning that the said summons shall be restored by the said Lord Hay to the quantity of goods contained therein "be heyd for heyd and bol for boll," and the apprised goods by the said Mr. George to be allowed therein. And as to the avale of the goods that might have been had by rigout of spulzie they annul the same so that the said Lord Hay cause the one half of the Kirk of Quhittinghame be restored to the said Mr. George, "the quhilk William Hay of Tallo unkindly aganes the commone weill of their housis tuk our the said Maister Georgis heyd," that he may brook the same so long as it is in ane Hay's hand "doand thairfor siclyk as he did till uthir fremmit men." as to the stedingis of Gammilstoun and Lyne they ordain the said Mr. George to intromitt therewith during his mother's life, and anent the spulze of Monkland, if the said Mr. George and his servants will swear that Edmond Hay had no licence of him to brook the same "the said Edmond sall

appleis hyme be seytht of my Lord Hayis brether ;" as to all other debates between them they ordain the same to be "accordit be freindis of thair housis" and in case of discord, the variance being shown the said arbiters shall give final sentence therein because the parties foresaid convened not at this diet ; and also for perpetual kindness to be kept betwixt them they ordain the said Lord Hay receive his "Eme" Maister George Hay foresaid in hearty kindness and the said Mr. George bear himself to the said Lord Hay as he ought to his "heyd and cheif wythout variance." At Edinburgh 3rd August 1529. Witnesses, Maister Thomas Hay prebendare of Sanct Nicolayis alter situat wythin the Kirk of Bothanes and Alexander Boyd. (*M.*)

Paper.

451A. —— Aug. 1529. Ane decreit of the Lordis of counsel with consent of Jon. Lord Zester and Mr. George hay of minziane Decerning the said Mr. Geo. to remove from the hous of beltoun befoir the first of Septembre in the zeir of god 1529 wnder certaine paynes contenit in the decreit.

Ane Instrument takin be Jon. Lord Zester apoun the 11 of november in 1529 of his requyring Mr. geo. hay to remove from the hous of beltoun wnder the subscription of Jon. Manderstoun and geo. arnolt nottaris. *Nos.* 40 *and* 41, 1619 *Belton Inventory.* (*H.*)

452. 7th Dec. 1529. Commission under the Great Seal to Nicolas Crawfurd of Oxingangis Clerk of Justiciary, Patrick Barroun of Spittalfield, Andrew Auchinlek, Master Henry Lauder and James Lauson for serving of a breve of inquest impetrat by John Lord Hay of Yestir as heir to the late John Lord Hay of Yestir and Elizabeth Cunynghame Lady of Beltoun, his grandfather and grandmother in certain lands and heritages which belonged to them in the Sheriffdoms of Edinburgh, Constabulary of Haddingtoun, Roxburgh, Peebles and Lanark And to hold a court or courts in the Tolbooth of Edinburgh for that purpose &c. At Edinburgh 7th December 1529.

Fragment of Great Seal attached.

Indorsed is an Instrument narrating that on 24th March 1529 in presence of the Chancellor Archbishop of Glasgow, Andrew Auchinlek took oath for the faithful exercise of his office of Sheriff in the above commission—Whereupon the said John Lord Hay of Yestir asked instrument. Witnesses Mr. Robert Hamiltoun rector of Quodquen, John Lawider vicar of Kylryany, John Hay of Smeithfeild and Sir John Manderstoun chaplain and notary public. Alexander Young notary public signs. (*M.*)

453. 7th Dec. 1529. Copy Certificate of Apprising by John Pordovyne Macer, and John Adamsone messinger following on Letters under the Signet to distrenze the moveable goods of John Lord Hay of Zester and, failing them, to apprise his lands for the sum of £3543 : 17 : 4 due to Mr. George Hay of Mynzeane by Decreet of the Lords of Council ; Narrating that they had apprised 5 score zowis and tupis, 40 gymmer and dynmont, and 14 score of hoggis for £103 ; 5 ky, 5 thre zeir auld nolt, 4 twa zeir auld nolt 4 score and 16 zowis with thair lammes, and 16 zeild zowis and kowis for £71 : 4s. ; total £174 : 4s. which was delivered to the said Mr. Geo. ; and, because they could get no other moveable goods, they denuncit and attachit the said lords lands of Beltoun, and barony of Zester, and also his lands and barony of Lochqwhorat, haldin of our soverane lord the king be service of ward and releif, To be apprisit for the rest of the sum, viz. £3369 : 13 : 4 ; held a court, by dispensation, in the Tolbooth of Edinburgh, 5 May 1529, summoning the said lord at his castell and dwelling place of Zester and the Mercat Croce of Haddington, who compeared and also the said Mr. Geo. Hay ; chose an inquest of the following persons, viz. Geo. Prestoun of that Ilk, Pat. Cokburne of Newbigging, Jasper Cranstoun of Corsby, Pat Hering of Gilmertoun, Andro Johnestoun of Elphinstoun, Wm. Douglas of Quhittinghame, Pat. Ogill of Harttrenwod, Rob. Knollis of that Ilk,

Thos. Prestoun, John Newtoun, Wm. Frog in Inneresk, Wm. Howden in Howdene, Alex. Hume in Tunynghame, John Nesbet in tunynghame, and Andro Kynneir burgess of Dunbar, who efter lang communicatioun past furth of the tolbuth and deliverit nouther affermatife nor negatife apon the apprising; here-upon the said Mr. Geo. Hay complained to the Lords of Council and obtained letters summoning the above persons to convene again, delivering to him in the meantime 8 oxen worth £24, in part payment; And the said jurymen were charged to compear in the Tolbooth on 7 Dec. 1529 and remain there until they found a verdict, some of whom compeared and being riplie awisit apprisit the twa part of Beltoun, worth yearly £120, and the lands of Gamilstoun and Redishill, worth £55 yearly for the rest of the said sum and for £175 aucht to ws for the executioun of our office in the premissis that is to say ane markis worth for XX markis eftir the commoun use of apprising of landis; and, after the apprising, the said lands were offered for sale by open proclamation, but, no one offering, they were assigned to the said Mr. Geo. Hay. Hec est vera et Indubitata copia principalis appreciationis etc., per Alexandrum Zoung N.P. ac clericus in appreciatione. (*H.*)

Paper.

454. —— December 1529. Scirris baronis and gudmen of Inquest this is the claime I Johne lord hay of Zester desyris to be servit and retourit be zour wisdomes as narrest and lauchfull ayre to umquhill Johne lord hay of Zester my grantschir and umquhill elizabetht cunnyghame my grandame of thir landis under writin that Is to say. In the first the twelf markislandis of edderstoun of ald extent liand withtin the shirefdom of peblis haldin blanche ferme for ane d. of (robert) Wallace of Johnstoun quhilk hes bene in his handis sen alhallomes last bipast be deceiss of my said umquhill grandame coniunct fear thairof And ar now wortht be zeire xx^li (servis efter the form of the charter and Instrument).

Item the ten markislandis of ald extent of estir hassindane liand withtin the barony of hassindane and shirefdome of roxburgh haldin of my lord of glencarne Warde and releve as narrest and lauchfull ayre to my said grandame quhilk decessyt as said Is at the last alhallomes And ar wortht now be zere xx markis usuale money of Scotland and thai war plenist bot thai ar now waist (servis ward and releif efter the tenour of the instrument).

Item foir markis of annuell in the west end of the toune of Newtoun haldin of the lard of newtoun blancheferme withtin the said barony of newtoun and shirefdome of Edinburgh withtin the constabulary of hadingtoun for ane reid ros one mydsomerday gif It be askit quhilk hes bene in the said barone hand be the space of xxij zeiris be the deceiss of my said grantshir. (servis).

Item the sext part of the landis of the nethertoune of strathavene the aucht part of the myll of the samin and v s. annuell of the landis of glengavill liand withtin the barony of strathavene and shirefdome of lanark extending to five markis and fourty pennis usuale money of Scotland and now wortht be zere xx markis of the said money haldin of our soverane lord the kingis grace ward and releve being in our said soverane lordis handis be the space of xxij zeiris be the deceis of my said umquhile grantshir in defalt of my fader and me nocht persewand our rychtis (servis this conform to the extract of the chekker and decreit rollis and decreit of the lordis of consale). (*H.*)

455. 26th Janry. 1529/30. Instrument of Sasine given by Patrick Lauson one of the bailies of the burgh of Hadingtoun to John Gourlaw and his heirs whatsoever, of an acre of arable land lying within the liberty of the said burgh which sometime belonged to Randulph Eglins in "le Harmanflat," containing two rigs of arable land between the acre of William Foular on the east, the King's high way on the west, Pedarcrag on the north and the croft of Adam Lausoun on the south. Dated 26th January 1529. Witnesses, Henry Foros, Robert Welsoun, James Wolsoun, John Fleming notary public, Antony Murra, Stephen Darg, John Afflek seriandis—Alexander Symsoun is notary. (*M.*)

The seal of Patrick Lauson, bailie, is appended.

456. 26th March 1530. Instrument narrating that at a court held in the Tolbooth of Edinburgh by Andrew Auchinlek sheriff of Edinburgh within the Constabulary of Hadingtoun, Roxburgh, Peebles, and Lanark, by Commission under the Great Seal, Alexander Young notary public Clerk, William Mowbray, Thomas Bennet and Alexander Donaldsoun serlands and John Andersoun were elected and called to serve the breifs impetrat by John Lord Hay of Yestir on the 28th of April next. Dated 26th March 1530. Witnesses, Alexander Dikson, Nicholas Carncors, Sir John Manderstoun, William Hay of Mayn and Archibald Strauthauchin. William Rutherfurd is notary. (*M.*)

457. 26th March 1530. Instrument narrating that in presence of Andrew Auchinlek sheriff of the shire of Edinburgh within the Constabulary of Haddingtoun, Roxburgh, Peebles and Lanark constitute by Commission from the King, at the instance of John Lord Hay of Yestir ; in the Tolbooth of Edinburgh, and there the said Lord presented a certain commission from the King direct to the said Sheriff for serving of certain brevis of Inquest impetrat by the said John Lord Hay of Yestir by decease of the late John Lord Hay of Yestir, his grandfather and Elizabeth Cunynghame his grandmother, Whereupon the said John Lord Hay required the said Sheriff to elect the necessary servant and officers of court for serving of the said breives. Who elected William Ruthirfurd notary public as clerk, Andrew Blakwod as serjeant, and James Cokburn as adjudicator, who were sworne for administration of Justice therein. Dated 26th March 1530. Witnesses, Alexander Diksoun, Nicholas Carncors, Sir John Manderstoun, William Hay of Mayne, and Archibald Strauchin. Alexander Young is notary. (*M.*)

458. 31st March 1530. Notarial Copy of Instrument narrating that John Lord Hay being called by William Laudir burgess of Edinburgh to produce a reversion of the lands of Todrig, which he had in keeping and at the command of the Lords delivered the same before them to be given to those having right thereto therefore that in time to come nothing should be laid to his charge anent the same. At Edinburgh 31st March 1530. George Gude notary. (*M.*)

Paper.

459. 31st March 1530. Extract Act of Submission by John Lord Hay of Yestir and Maister George Hay his "eme" to abide by the Decreet of Gavin Bishop of Aberdeen, George Coadjutor of Aberdeen and James Bishop of Ros, as arbiters chosen by the saids parties in all matters of debate betwixt them ; The Act is extracted from the Books of Attorney by Gavin Bishop of Aberdeen Clerk of the Rolls of Register and Council and is signed "Gawinus Dunbar." At Edinburgh 31st March 1530. The names of the Lords of Council are given, as those in whose presence the act is made, Their names are, Gavin, Archbishop of Glasgow, Chancellor, George Bishop of Dunkeld, Gawyne Bishop of Aberdeen, William Bishop of Dunblane, James Bishop of Ros, James Earl of Murray, George Earl of Rothes, John prior of St. Andrews, George Lord of Sanct Johnis, William Scott of Balwery, Knycht, Maister Adam Ottirburn of Auldhame provost of Edinburgh, Nicholl Crawfurd of Oxingangis, Justice Clerk, Maister Francis Bothuill and Maister James Lawsoune burgesses of Edinburgh. (M.)

Paper.

460. 5th April 1530. Renunciation by way of Instrument by Patrick Zoung, flesher (carnifex), brother of um, John Zoung carver (scissor) burgess of Edinburgh, and also of um. Alain Zoung, in favour of Alexander Zoung, N.P., burgess "prolibatus" of burgh, head Sheriff Clerk of Edinburgh, and his wife Elizabeth orthuik of all right he had to the tenement alienated to them by the said um. lan Zoung (see No. 388) : Done in the dwelling house of said Alex. Zoung, 3

p.m. 5 April 1530: Witnesses, John Rankyn, Archibald Strathauchane, Stephen Riddale, and John Makneil: Co-notaries, Alex. Makneyll, clerk S.And.dio., N.P. A.a.; and Wm. Rutherfurd, clerk Glasgow dio., N.P. A.a. (*H.*)

Note.—In the bounding clause Rob. Tod is here referred to as umquhile.

460A. 28th April 1530. Item a procuratorie be Jhon Lo yester for offering a wyff to cunninghame of westbarnes and instrumentis taken of the offer 28th Apryle 1530. *No.* 47, 1619 *Belton Inventory.* (*H.*)

461. 13th May 1530. Precept from Chancery for infefting John Lord Hay of Yester as lawful and nearest heir of the late John Lord Hay of Yester his grandfather, in an annual-rent of four merks scots, furth of the lands of the late Thomas Newtoun with pertinents, lying in the west end of the town of Newtoun on the north part of the same within the Constabulary of Haddingtoun and shire of Edinburgh—directed to the Baron of the barony of Newtoun as superior of said annual-rent on Retour of Inquest by Andrew Auchinlek sheriff of Edinburgh within the said Constabulary. At Edinburgh 13th May 1530 (17th year of King's reign). (*M.*)

462. 17th Aug. 1530. Certified Extract from Records of Justiciary Court held at Linlythqw, 17 Aug. 1530, by Robert Bertoune of overbertoune, Justiciar and Treasurer, narrating that John Lord Hay of Zester became in the King's will for negligence committed by Mr. John Hay in allowing Adam Nixsoune and one called Elwald, a common thief, delivered to him by the King in name of said Lord Hay as principal Sheriff of Peibles, to escape from custody; and the Justiciar ordered him to remain in ward in the town of Linlythqw. Extracted and signed by Nicholas Crawfurd of Oxingangis Justice Clerk. (*H.*)

463. 17th Aug. 1530. Copy of the foregoing by George Gude N.P. (*H.*)

464. 30th Aug. 1530. Copy of Letters under the Signet at the instance of John Cunyngham of the Westbarnis laird of the underwritten lands, To James Litil, Geo. Cunyngham, and Cuthbert Grersoun to summon John of Cottis, Pat. Flemyng, Fergus Moffet, Pat. M'Ketrik, Gilbert Mcrory, Janet Mcmordy, Agnes Moffet, Thos. Kyd, John Maxwell, Margaret Mcbirne, Cuthbert Wallace, Donald Mcgoun, and Robin of Dunbar to compear on 10 Oct. next before the Lords of Council and answer to the following charges: John Cottis for the wrongous occupation of the 2 mark lands of Mcculystoun and detention of the profits amounting to 20 bolls of aitis sawing of Nythisdale met estimat in superexcrescence to the thrid corn, and the pasture of 30 soumes gers price of the soum 2sh. and four dawerkis of hay price of ilk dawerk 6sh. 8d.: of the profits of the 30 sh. lands of Knokinaharre amounting to 24 bolls of oats sowing etc., 40 soumes of gers at 2 sh. and 4 dawerkis of hay at 6sh. 8d.; Pat. Flemyng for a markland of Mccuylstoun profits of 12 bolls of oats sowing, 16 soumes of gers, and 2 dawerks of hay: Fergus Moffet for another markland of Mccuylstoun and profits as above; Pat. Mcketrik for another markland etc., Gilbert Mcrory for another etc., Janet Mcmorde and Agnes Moffet for 40d land of Auchinpatrik and profits extending ilkane of thame to 3 bolls of oats sowing etc., 4 soumes of gers, and a half dawerk of hay; Thos. Kyd for a half mark land of Auchinpatrik and profits of 6 bolls of oats sowing, 8 soumes of gers, and 1 dawerk of hay: the said Jonet M. and Agnes M. for a part of the lands of Stracht and profits of 6 bolls of oats sowing etc., 8 soumes of gers, and 1 dawerk of hay; John Maxwell for 10sh. land of Stracht and profits of 8 bolls of oats sowing, 2 dawerks of hay, and 10 soumes of gers; Cuthbert Wallace for a half markland of Stracht and profits of 6 bolls of oats sowing, 8 soumes of gers, and 1 dawerk of hay: Donald McGoun for 5sh. land of Stracht and profits of 4 bolls of oats sowing, 6 soumes of gers, and a dawerk of hay; Margaret Mcbirne for 10sh. land of Stracht and profits of 8 bolls of oats sowing, 10 soumes of gers, and a dawerk

of hay ; And Robin Dunbar for 30sh. land of Colinschaw and profits of 24 bolls of oats sowing, 40 soumes of gers, and 6 dawerks of hay : the said persons to hear them adjudged to pay to the said John Cunyngham the abovewritten sums of oats and money for the profits of this instant year : and also to summon the following witnesses, Rob. Fergussoun in Brekanside, Rob. Fergussoun his son, Gilbert Grersoun of Daltoun, Andro Grersoun his son, John Amuligan, Gilbert Grersoun, Nichol Mcbrare, alderman of Drumfres, John Ahannay his servand, Wm. Cunyngham, Rob. Patriksoun, David Welch, burgess of Drumfres, John Fergussoun of Cragdarat (Craigdarroch), Thos. Kirkpatrik of Closbar (Closeburn), knt., John Kirkpatrik his brother, and Rob. Kirkpatrik : Drumfres penult August a.r. 17 (1530). (*H.*)

465. 27th Sept. 1530. Copy Letter under the Signet by James V declaring that, as John Lord Hay of Zester sheriff of Twedale had become in oure will for the way latting of twa commone thevis (see No. 463), and his lif and gudis are in oure handis, and his office forfeited, he remitts the said Lord of the cryme and falt but forfeits the office of sheriffship to remain with the Crown in property : Signed at Falkland 27 Sept. a.r. 18 (1530). Copied by John Wallace, N.P. (*H.*)

466. 1st Decr. 1530. Certified Copy of a Precept under the Signet by James V to David Abbot of Abirbrothok Keeper of the Privy Seal, to make a letter under the Privy Seal granting Malcolm Lord Flemyng and his heirs the office of sheriff principal of Tuedale and Peblis, as formerly held by John Lord Hay of Zester, to be confirmed under the Great Seal by Gawin Archbishop of Glasgow, the Chancellor : Perth 1 Decr. a.r. 18 (1530) : Copy made at the command of the Lords by John Quhite clerk to the said Privy Seal. (*H.*)

467. 1st Decr. 1530. Copy Letter under the Great Seal granting the office of sheriff of Tuedale and Peblis to Malcolm Lord Flemyng, following on No. 466 : Perth 1 Dec. a.r. 18 (1530) : No witnesses. Copied by John Wallace. (Paper.) (*H.*)

468. 1st Dec. 1530. Another paper copy. (*H.*)

469. 23rd March 1530-1. Copy Submission by John Lord Hay of Yestir on the one part and Maister George Hay of Mynzeane on the other part, promising to abide by the Decreet of Maister Thomas Hay Dene of Dunbar and Niniane Creichtoun of Bellyboth for the part of the said Lord, Maister Adam Otterburn of Auldhame advocate to the King, provost of Edinburgh, and Gylbert Wauchope of Nidrymerschale for the part of the said Maister George, and James Bishop of Ros and Maister Francis Bothuile oversmen chosen betwixt the said parties, arbiters anent the spoliation of certain goods being in the house and place of Beltoun, alleged by the said Lord Hay to have been spulzeit furth of the same by the said Maister George : and anent the spulzie of the lands and stedings of Gammylstoun and Lyne and the corn growing therein in the years 1528 and 1529 alleged by the said Mr. George to be spulzeit by the said Lord. The said arbiters to convene in the College Kirk of Sanct Geall of Edinburgh on 24th March instant, and to give their deliverance on said matters between then and 10th May thereafter. At Edinburgh 23rd March 1530. Witnesses, Maister John Hay of Smeithfeild, Sir Alexander Scot provost of Corstorphine, George Gud, and Maister James Scot. Endorsed is the acceptance of the said arbiters to act in said matter, dated 24th March 1530. Witnesses, Maister John Hay of Smeithfeild, Henry Wardlaw of Kylbabertoun and Sir John Manderstoun chaplain and notary public. Alexander Young is notary. (*M.*)

Paper.

470. 23rd March 1530/1. List of goods and sums of money, claimed by John Lord Hay of Zestir from his "eme" Mr. George Hay, submitted to the Arbiters; firstly, after his guddeyme committed to him the hayll gydyng and rewyll of hir persone hous landis and guddis the said maister george causit his wyff and otheris cum to the place of beltoun quhare my gud deym wes and tak the keyis thairof fra my sone beand thairin for the tyme, and assumed charge till her death; Item, George Hay caused him to anale his lands of Laidlouch to Alexander Mauchan burgess of Edinburgh for £341 which he took to buy him the lands of Newhall when his gud fadir and all others refused to help him; Item, George Hay owes 500 marks for his marriage because he hold Mynzene by ward and relief (referit): Item, he should refund the profits of Olivercastel, worth 380 marks, see No. 261 (21st February 1502/3) given him until he obtained a benefice, because he is inhabyl since his marriage: Item, 300 marks for gear pertaining to Lord Hay's gudschir: Item, £200 for the composition of Mynzen and Olivêrcastle which had been recognosced, paid by his gudschir: Item, said "eme" owing——for his goods being on the lands of Lyne and Gammilstoun since January 1527 after the breaking of his arrestment by my court: Item, owing 80 bolls of meal and 30 bolls of beir from Lyne for 12 years thirll moutir: Item, for the heirship goods pertaining to Lord Hay by decease of his said gud deym 300 marks: Item, for skaith done to his places of Beltoun, Gammilstoun, Lyne and Hammyltoun for want of repairs since his said gud deym's entry after his gudschir's decease and Mr. George's intromission after her decease £1000: Item, for spoilzie by his said "eme" from Zester, Park of Zester, and Gammilstoun in April 1529, of 360 ewes at 8 sh., 340 lambs at 3 sh., 340 wethers at 9 sh., 340 hoggs, dynmonts, and tups at 5 sh., 20 ky younger and older at 40 sh., and 17 young oxen and other cattle at 30 sh.: Item, profits of the said goods, £600: Item, for spoliation from Gammilstoun in 1539 of 16 oxen, 24 bolls of wheat sown, 18 bolls of peas, 16 bolls of beir and 240 bolls of oats: Item, from the Mains of Lyne the same time 16 bolls of beir sown, 120 bolls of oats and 16 bolls of peas: Item, the said maister george tuk out of my place of beltone at the tym that he left the samyn in October anno etc. xxx° all the fixit and othir houshald geyr beand thairin extendyng be gud estimation to 200 markis And als brak the durris wyndois and zettis of the said place and tuk away all the Irne graith and brak the lyntellis of chymlayis the rabatis of durris and wyndois and tuk the rufe of the greit hous ye skaith thairof extending to 500 markis (all these items marked "Vacat"): Item, rents of the two part of Belton for 3 years since his guddammis deces 200 marks a term: Item, rents of Gammilstoun said space at £17 a term: Item, rents of the two part of the Mains and town of Lyne and Hammiltoun at £20 per term: Item, Mr. George Hay to releave Lord Hay of £70 for the nonentry of Edderstoun due William Cunyngam of Cragendis because he got the half of the town of Lyne in excambion: Item, the said George Hay took the two part of the mill of Belton and deforced the officers sent to poind his goods for the rent thereof: Item, claim for his "Eme" as executor to his gudem £1000 for infeftments for her "saule" and expenses in her wants: Item, for the heirship goods of Belton 500 marks. (*H.*)

Paper, undated.

470A. 23rd March 1530/1. Rough scroll of the foregoing. (*H.*)

471. 23rd March 1530/1. Articles by Mr. George Hay of Mynzeane before the Arbiters, stating, that in January 1527 John Lord Hay of Zester took from his maling of Gammilstoun, Haddington, 20 bolls of wheat at 32 sh. a boll with fodder, 20 bolls of peas and rye at 20 sh. a boll, 160 bolls of beir at 30 sh., 480 bolls of oats at 16 sh. 8d., 9 oxen at £3, 8 ky at 50 sh., tua furnist pleuchis witht all graith, 5 cuppill of harrowis, tua wanys with other certain tymmer, price 20 marks, and 10 dawerkis of hay worth 10 marks: item, profits of the said lands namely 16 bolls of wheat sown estimated at the fifth corn at 20 sh. a boll; 240 bolls of oats sown worth, at the feird corn, 13 sh. 4d. per boll:

16 bolls of rye sown worth, at the fourth corn, 16 sh. per boll; 2 chalders of beir worth, at the sixth corn, 16 sh. per boll; 300 ewes in wool, lamb and cheese at 5 sh.; 20 milk ky in stirk buttir and cheis at £16; and the gers and pasture of 40 oxen and other nolt worth £4: Item, the profits of the lands of Monkland for the year 1528, namely 40 bolls of oats, 3 bolls of beir, and 160 sheep, milk and zeld worth £20, Edmund Hay, Captain of Zestir in the Lord Hay's name having stopped Mr. George's ploughs and oxen and "dang henry martynis sone gangand witht my pleuch": item, the said lands of Gammilstoun and Mynzeane were not restored till Whitsunday 1529; item, in November 1529, after the decease of the complainer's mother (Elizabeth Cunningham), the following goods were taken from Gammilstoun, 960 thravis of oats equal to 480 bolls at 13 sh. 4d.; 240 thravis of beir equal to 120 bolls at 16 sh. 8d.; 100 thravis of wheat or 40 bolls at 20 sh. and 40 thravis of peas or 20 bolls at 13 sh. 4d.: Patrick Tempill, lord Hay's servant having taken them and prevented George Hay's tenants from working the lands of Gammilstoun and Reddishill, whereby the crop of 1529 is rotting in the said lord's yards and the ground lying waste, and George Hay claims for 2 years profits; Item, the said lord spoiled from George Hay at his maling of Lyne, in January 1529, 3 laids of meal containing 9 bolls at 20 sh. with 3 sacks worth 12 sh., and also the profits of the said town of Lyne, Peeblesshire, 400 bolls of oats at 13 sh. 4d., 4 chalders of beir at 30 sh., 8 bolls of peas at 20 sh., 10 dawerks of hay at 10 marks, 2 ploughs, 6 couples of harrows, ane furneist wane, 10 pairs of Irne setteris witht thair lokkis worth £10, 12 brood geese £6, 17 oxen at 5 marks, 260 ewes at 10 sh., and 240 hoggs at 5 sh.: Item, profits of the said lands for 1528 when the said lord tilled them, 20 chalder of oats sown, at the third corn, worth 10 sh. per boll; 40 bolls of beir sown, at the fifth corn, 13 sh. 4d. per boll: 8 bolls of peas sown, at the third corn, 13 sh. 4d. per boll; 600 milk ewes in wool lamb and cheis, 5 sh.; 1500 wedderis and other zeld sheep estimat to 7 sekkis of woll at £20; 40 milk ky in stirk and butter at 16 sh.; And the grass and pasture of 80 zeld nolt at 2 sh. each: Item, for 1200 thravis of oats or 400 bolls at 13 sh. 4d. and 400 thravis of beir or 160 bolls at 16 sh. 8d., the corne grown upon the said lands of Lyne since November 1529: the complainer has received only 1 boll of oats from the Mains of Lyne: Item, the said lord spoilzeit fra umquhile elizabeth cunynghame lady beltoun her keyis of the castell and place of beltoune and her corns and goods, worth 1800 marks, the said lord's and the dean of Dunbar's statement that she received back the place of Belton not being accurate: Item, the said lord owes George Hay 40 marks by a decreet arbitral. (*H.*)

Paper, undated.

472. 23rd March 1530/1. Rough scroll of the foregoing. (*H.*)

473. 4th May 1531. Extract Decreet by the following Lords of Council, Edinburgh, 4 May 1531, George bishop of Dunkeld, Gawine bishop of Abirdene, Archibald erll of Ergile, Pat. Prior of Sanctandris, Wm. Lord Ruthven, Sir John Dingwale, Provost of the Trinite College, Sir John Campbell of Lundy, knt., Mr. Adam Ottirburne of Auldhame Provost of Edinburgh, Nicholl Craufurd of Oxingangis, Justice Clerk, Mr. jas. Lawsoun, Mr. Jas. Foulis, and Mr. Francis Bothuell, burgesses of Edr., Anent the supplication by John Lord Hay of Zestir shireff of heretage of the shrefdome of peblis against Malcolm Lord Fleming, who claims said office of sheriff, Suspending letters purchased by Fleming charging Hay to deliver court buke of peblis. Signed by Gawine Dunbar, Bishop of Aberdeen, Clerk of Rolls, Register, and Council. (*H.*)

474. 8th May 1531. Gift under the Privy Seal to Adam Lauson burgess of [illegible]adingtoun his heirs and assignees, of the maills, fermes, profits and duties of [illegible]e two acres of land with pertinents which pertained to the late Sir Henry

Lauson person of Auldcathy, lying beside the said burgh at the north part of the same, betuix the lands of umquhile John Aytoun at the west part, the lands of Harpardene at the north and east parts, and the lands of the late John Hynd on the south part during the space that the same remain in the King's hands by reason of nonentry of the lawful heir or heirs thereto. At Striveling 8th May 1531. (*M.*)

The Privy seal is appended, in good condition.

475. 8th May 1531. Charter by Adam Lausone burgess of Haddington, in favour of Master Robert Walterstoun provost of the Collegiate Kirk of Bothanis, of his tenement or land fore and back, under and above, with pertinents, lying in the burgh of Haddington in "lie Hardgait," between the land of John Masone on the north, the land of Robert Bair on the south. Also his two acres of arable land lying near the said burgh on the north part thereof, between the lands of Harpardene on the east and north, the lands of John Aytoun on the west and the lands of the late John Hynd on the south. Holding to the said Master Robert his heirs and assignees, from the granter of the King and his successors, in fee and heritage for ever. Paying to the King for the said tenement the burghal ferme, and for the said two acres one penny in name of blench ferme if asked. At Hadingtoun 8th May 1531. Witnesses, John Sincler of Blause, Thomas Sincler burgess of Hadingtoun, Alexander Cokburne of Harpardene, Thomas Wause, Sir John Litill and Laurence Bell, chaplains. (*M.*)

The granter's seal is appended, in good condition.

476. 18th May 1531. Crown Confirmation of the foregoing Charter (No. 475) in favour of Robert Walterstoun provost of the Collegiate Kirk of Bothanis. Confirmation dated at Edinburgh 18th May 1531. Witnesses, Gavin, Archbishop of Glasgow, Chancellor, George Bishop of Dunkeld, Henry Bishop of Galloway and of our Chapel Royal of Stirling, James Earl of Moray, Archibald Earl of Argyle, Master of the Household, George Earl of Rothes, William Lord Flemyng great chamberlain, John Lord Erskine, Patrick prior of St. Andrews, David Abbot of Abirbrothok, Keeper of the Privy Seal, Mr. William Stewart provost of Linclouden, treasurer, James Colvile of Est Wemys, accountant of the Rolls and director of chancery, and Mr. James Foulis, clerk of the Rolls of Register and Council. (*M.*)

Great seal appended, much broken.

477. 3rd Aug. 1531. Instrument of Resignation by John Gourlau of an acre of arable land lying within the liberty of the burgh of Hadingtoun, in "lye Harmonflat," between the land of the late John Getgud on the east, the common street on the west, the lands of Peddercrag on the north and the common vennel on the south; in the hands of Thomas Sinclar one of the bailies of the said burgh, for Sasine thereof to be given to Patrick Congiltoun brother german and attorney of Mr. Henry Congiltoun. Dated 3rd August 1531. Witnesses, Edmund Bernis, Adam Wod, Robert Volsoun, Master Patrick Sinclar and Stephen Darg seriand. Alexander Symsoun is notary. (*M.*

The seal of the bailie is appended, slightly broken.

478. 3rd Oct. 1531. Dispensation by Alexander (Farnese) Cardinal of Ostia; Anthony (Maria de Monte) Cardinal Portuen.; Peter (de Accoltis) Cardinal Sabinen., John (de Piccolominibus) Cardinal Prenestin., John Dominicus (de Cupis) Cardinal Albanen., Bishops: Andrew (de Valle) Cardinal of St. Prisca., William (Enckevoirt) Cardinal of Saints John and Paul; John Garcias (de Loyasa) Cardinal of St. Susanna; Gabriel (de Grammont) Cardinal of St. Cecilia, Presbyters: and Innocent (Cibo) Cardinal of

St. Maria in Dominica Nicolas (de Rodolfis) Cardinal of St. Viti in Macello Martirum, and Hercules (Gonzaga) Cardinal of St. Maria Nova, Deacons: relating the desire of William Hay of Tallo that the chapel or altar of St Edmund in the Collegiate Church of Botans, in the diocese of St. Andrews (which chapel his predecessors founded and endowed), should be visited by the faithful, repaired, maintained and furnished with books, cups, lights and other necessaries, and granting to all true penitents visiting the chapel annually at the feasts of the Assumption, St. John the Evangelist in December, Tuesday of Holy Week, Easter day, whitmonday and St. Cuthberts, from the first vespers to the second vespers inclusive, and aiding the work, for every feast or day on which they have done so, and have likewise prayed for the souls of said William Hay (when he shall die) and his parents, kinsmen, relatives, benefactors, founders of said chapel, a Relaxation of one hundred days penance, "Dated in our house at Rome" 3rd October 1531; in the 8th year of the Pontificate of Pope Clement VII. (*M.*)

Illuminated parchment (with two shields, one with the paternal arms of Hay differenced with a star in the fess point, for Wm. Hay of Tallo, and the other with the arms of Cockburn of Henderland for his wife Margaret Cockburn, C.C.H.); the seals of the granters have been appended in tin cases, but the cases only remain.

479. 17th Oct. 1531. Charter by John Lord Hay of Zeistir baron of Snaid to Andro Vilsoun in Lagane of 20sh. lands of old extent of Tagarstoun in Snayd, occupied by John Tagart: Edinburgh, 17 Oct. 1531: Witnesses, John Hay the granter's son and heir, John Myddilmaist, Wm. Makcubyn, Alex. Cotis, Thos. Portuus, John Makneill, and Alex. Makneill Notaries Public. (*H.*)

Signed, and Seal appended, marked with knife points to indicate cancellation.

480. 17th Oct. 1531. Precept of Sasine, following on the foregoing, to Gilbert Wilsoun of Bennen, and Alex. Cottis: Edinburgh, 17 Oct. 1531. (*H.*)

Signed and seal appended, marked with knife points.

481. 18th Oct. 1531. Reversion, in vernacular, by Andrew Vilsoune, in Lagane, following on No. 479, in favour of Lord Hay for 300 marks to be paid on the High Altar of the Kirk of Tundroume (Tynron) with a letter of 3 years' tack of said lands at a yearly rent of 13 marks, to be deposited with the Laird of Croigland, quhilk for the tyme salbe, in case of dispute: Edinburgh, 18 Oct. 1531: Witnesses as above in No. 479. Signed by Andro Wilsone his hand led at the pen by Alex. Makneill, N.P. (*H.*)

Seal appended, in poor condition.

482. 29th Oct. 1531. Instrument of Assignation by Adam Lauson burgess of Hadington to Maister Robert Walterson provost of the Collegiate Kirk of Bothanis, whom failing to Sir Hugh Bald chaplain of the altar of the Holy Cross founded in the said Kirk, and his successors, in and to the nonentry of two acres of land with pertinents, lying near the burgh of Hadingtoun on the north part thereof between the lands of Harperdeyne on the east, and north, the lands of John Aytoun on the west and the lands of the late John Hynd on the south. Dated 29th October 1531. Witnesses, Alexander Donaldsoun, George Crosar, Thomas Samson and Sir Laurence Bell chaplain. John Flemyng is notary. (*M.*)

The seal of the said Adam Lauson, slightly broken, is appended.

483. 29th Oct. 1531. Assignation by Adam Lausone burgess of Hadingtoun, in favour of Master Robert Walterstoun provest of the Collegiate Kirk of the Bothanis, and failing of him Schir Hew Bald chaplain of the rud altar within the said Kirk, and his successors chaplains of the said altar, of two acres

of land lying beside the toun of Hadingtoun upon the north part thereof, betwixt the lands of Harpardene on the east and north parts, the lands of John Aytoun on the west, and the lands of the late John Hynd on the south. At Hadingtoun 29th October 1531. Witnesses, Alexander Donaldsone, George Crosar, Thomas Samsone, and Schir Laurence Bell, chaplaine. John Flemyng notary public. (*H.*)

Seal of granter has disappeared.

484. 6th Nov. 1531. Instrument of Sasine, following on No. 480, by Gilbert Wilsone in Bennen: Done at Taggartstoune, 10 a.m. 6 Nov. 1531: Witnesses, John Wilsone ygr., Thos. Patersone, John Taggart, and the notary, David Loucsmytht, priest Glasgow dio., N.P. A.a. (*H.*)

485. 17th Nov. 1531. Letters under the Signet, at the instance of John Lord Hay of Zestir, to the Sheriff of Dumfries and his deputies and to Mychell Smytht, Mychell M'Kaye, and Thos. Craik, narrating that on the last feast of Pasche (1530-1) Lord Hay put certane pleuchis to teill his land of Gilmerton in his barony of Snaid. Traisting na trubill nor impediment; nevertheles Patrik Amwligin and his complices came on the 12th April and cuttit the soumes zokkis and bemyis and graith of his said ploughs: and on the morn thereafter the Sheriff of Dumfries came to apprehend Amwligin who fled to the Peill pertaining to David Maxwell in Glenslen, out of the quhilk peill John Greirsoune of Lag causit his bruther and houshald men to tak the said Patrik and wald nocht suffir our said shiref to tak na sourete of him And fortifiis and mantenis the said patrik aganis oure autorite and Lawis Incontrare his band maid to ws for keping of gude rewle withtin his boundis: And als the said Patrik on 13 Nov. last came upon Johne Lowrye Zounger sone to Johne Lowrye tenent in Gilmertoun dwelling in the Cragis and cruelly hurt and woundit him in his heid and diwers uther partis of his body and mutilate him of baith his armes and leg leaving him liand for deid upoun auld feid and forthocht felony: Wherefore the abovementioned are to charge the said John Greirson of Lag to enter the said Patrick Amwligin before the Justiciar or his deputies in the Tolbooth of Edinburgh on 7th Sept. next to underly the law; and also to summon an assize, ilk person under the pain of £10: Edinburgh, 17th Nov. a.r. 19 (1531).

Signet impressed and signed "Bannatyne."

Endorsement bears that on the 23 Nov. 1531 Mychell Smytht charged Greirson at his dwelling place of the Lag and the Mercat Croce of Dumfries because he could not apprehend him personally; witnesses, Elis Cunyngham, Edward of Johnstoun ygr., David Glen and Elys Trow; and on the 24th and 25th Nov. Summoned the following as jurymen, Thos. Fergusoun in Borby, Alex. M'Gouchane of Dalquhat, Adam Kirkhauch, Fergus Fergusoun in the Ness, John Moffet, Johne Greir, Malcolme Halyday, Johne Thomsoun in Flewchse, Rob. Lowry in Drwmbank, John Wattesoun in Dalswyntoun, Harbert Walcare burgess of Dumfries, and John Vass. (*H.*)

Signet, paper on wax.

486. 5th Dec. 1531. Letters under the Signet to Alex. Lindesay, at the instance of John Lord Hay of Zestir, Sheriff of Peebles, to summon Malcolm Lord Flemyng and Mr. Adam Ottirburne of Auldhame, King's Advocate, to compear before the Lords of Council on 5th Janry. next and hear and see the said Malcolm's pretendit gift of the office of sherefschip of Tuedale and Peblis declared of nane avail because Hay had never been lawfully denudit of the said office: Edinburgh 5 Dec. a.r. 19 (1531).

Signed, "J. Chepman," and Signet impressed.

Endorsement bears that the said Alex. Lyndsay on 7 Decr. 1531, summoned Mr. Adam Ottirburne of Auldhame, witnesses, Andro Murray of Blakbarony

Geo. Hendersoun of Lytillfordaile and John Myddilmest; and Lord Fleming, on 9 Dec. 1531, witnesses, John Luf, Thos. Pawtoun, Archd. Norry, and John Balfour. (*H.*)

Seal, paper upon wax.

487. 2nd May 1532. Instrument of Sasine on resignation by Master Robert Walderstoun provost of the Collegiate Kirk of Bothanis in the hands of Patrick Lauson bailie of the burgh of Hadingtoun, in favour of Schir Hew Bald chaplain of the chapel of the Holy Cross in the said Collegiate Kirk and his successors chaplains thereof, of a tenement of land with yard and pertinents lying on the west part of the street called the Hardgait of the town of Hadingtoun bounded by the lands of John Mesoun on the north, and the lands of Robert Beir on the south; Also three acres of land lying on the south part of the toun of Hadingtoun in the King's meadow between the acres of the late William Fourros burgess of the said burgh on the east and west. Dated 2nd May 1532. Witnesses, at the said tenement Robert Norre, Thomas Young, David Sybaldsoun, John Gothra and at the said acres, John Lauta, Schir John Gourlaw, Master of the Hospital of St. Laurence near Hadingtoun, Laurence Bell chaplain, Nicholas Swyntoun, John Johnsoun, John Auchinlek, John Lauder, Stephen Darg tenants of the said burgh and Alexander Symsoun King's notary and clerk of court. John Flemyng is notary. (*M.*)

488. 2nd May 1532. Charter by Adam Lawson burgess of Hadingtoun in favour of Master Robert Walterstoun provost of the Collegiate Kirk of St. Cuthbert of Bothanis in the diocese of St. Andrews and chaplain of the chaplainry of the Holy Cross founded by the said provost there of three acres of lands on the south part of the town of Hadingtoun in the King's meadow, between the lands of the late William Fowros on the east and west. Holding from the granter of the King in fee and heritage for ever. Paying yearly to the King for one acre four shillings scots. At Hadingtoun 2nd May 1532. Witnesses, Master David Borthuik, Patrick Lauson bailie of the said burgh, Nicholas Swyntoun, John Johnsoun, John Lauta, Sir John Gourlaw, Master of the Hospital of St. Laurence near Hadingtoun, Laurence Bell, Hugh Bald, Chaplains, and Stephan Darg, John Auchinlek, John Lauder, tenants of said burgh, Alexander Samson and John Flemyng notary public. (*M.*)

Granter's seal has disappeared.

489. 30th July 1532. Charter by James Anderson, son and heir of um. Lancelot *alias* Laurentius Anderson burgess of Edinburgh, to Alexander Zoung N.P. burgess of Edr. and Elizabeth Borthuik his wife of an annual rent of 40sh. from the land of um. Wm. Anderson, his grandfather, now the land of said Alex. Zoung, lying in Edinburgh on the S. side of High Street within the tenement of um. Pat. Balbrynny now of David Tod, on the W. side of the entry between the lands of um. Thos. Edname and said um. Patrick now David Tod's on the S. and N.: Edinburgh 30 July 1532: Witnesses, Jas. Bassenden burgess of Edr., Alex. Spens in Aldistoun, Hugh Curre, Rob. Lokhart, John Foulare N.P., and Thos. Arnot serjeant. (*H.*)

Seal of Jas. Anderson appended, in good condition.

490. 30th July 1532. Instrument of Sasine, following on foregoing, given by Edward Kincaid baillie of Edinburgh: Done 9 a.m. 30 July 1532: Witnesses as above: John Foulare, clerk S. And. dio., N.P. A.a. (*H.*)

491. 5th Aug. 1532. Letter of Reversion by Wilzeme Nycolsoun in the Park and Esobell Diksoun his spouse, in favour of John Lord Hay of Zestir con[illegible]ning the sum of 200 merks, as the redemption price of the twa part of ane

quarter of the lands and toun called the Park of Zester lying in the barony of Zester, Constabulary of Haddingtoun and shire of Edinburgh. At Zester 5th August 1532. Witnesses, John Maister of Zester, Maister Thomas Hay prebendar of the Bothanis, Alexander Lyndsay in Duncanlaw, John Neilsoun servitors, John Henderson, Walter Henderson and John Manderstoun notary public. (*M.*)

The seals of the granters are appended in good condition.

492. 8th Aug. 1532. Instrument narrating the Protest by John Haye Lord Zester to the Lords of Council against the forfeiture of his office, for negligence committed by Mr. John Haye his brother (see *supra*), by King James, and his majesty's grant thereof to Malcolm Lord Fleming: Done in the hospice of Mr. Thomas Haye, Dean of Dunbar, in the burgh of Edinburgh, 8 Aug. 1532: Witnesses, William Haye of Tallo, Mr. John Haye of Smeithfeild, John Culquhowne of Fawlay, and Sir John Manderstoun N.P.: David Dwn, A.M. clerk Glasg. dio., N.P. A.a. (*H.*)

493. 8th August 1532. Letters under the Signet, at the instance of John Lord Hay of Zestir for the reasons stated in No. 486, to James Glado to summon Mr. Adam Ottirburne of Auldhame, King's Advocate, and Malcolm Lord Flemyng to compear before the Lords of Council on 2nd Oct. next and produce the pretendit gift of Shrefschip to be sene and considerit gif thai be ordourlie procedit and of Justice and be revokit, first because Lord Hay is not responsible for his brother and had not been summoned before the King to defend himself; secondly because he is greatly injured in his heritage through submitting himself to the King's will; and thirdly because the gift to Fleming is illegal since Hay had not been legally deprived of his office: Edinburgh 8 Aug. a.r. 19.

Signed, "J. Chepman," and signet impressed.

Endorsement bears that on 3 Sept. 1532 Jas. Glado summoned Lord Fleming, witnesses, Sir John Campbell of Lundy, Gyre Pennango, and Sir John Manderstoun notary; and on 5 Sept. summoned Mr. Adam Ottirburne, witnesses, John Andersoun and Sir John Manderstoun notary. (*H.*)

Signet impressed on paper over wax.

494. 9th Oct. 1532. Precept of Clare Constat by John Lord Hay of Zestir baron of Olivercastel directed to John Broune, and Matthew Ranuyk in favour of William Vaiche as heir of his father um. Gawin V., son of Wm. Vaiche of Kinsyd, in the half of the lands of Glenrusco in the barony of Olivercastle, Peeblesshire, held in chief of said Lord, security to be taken for £18 due: Town of Neidpetht, 9 Oct. 1532: Witnesses, Andrew Hay, Thos. Portus, and Sir John Mandirstoune chaplain and N.P. (*H.*)

Signed, and seal appended, in good condition, marked with knife points.

495. 26th Oct. 1532. Instrument of Sasine, following on No. 494, by Matthew Ranuyk: Done at principal messuage of said lands of Glenrusco, 11 a.m. 26 Oct. 1532: Witnesses, Charles Geddas of Rauchin, Valter Huntare of Polmuid, Alex. Hay, Ninian Lowis, and Gerard Pannago: John Hay, A.M. clerk Glasgow dio., N.P. A.a. (*H.*)

496. 12th Dec. 1532. Instrument of Sasine by Sir Hugh Bauld chaplain of the altar of the Holy Cross founded in the Collegiate Church of St. Cuthbert of Bothanis within the parts of Lothian and in the diocese of St. Andrews, in favour of John Burne "latimo" and burgess of Haddingtoun his heirs and assignees whatsoever, with consent of Mr. Robert Walterstoun provost of the said church and patron of the said altar of three acres of arable land, lying con-

tiguous on the south part of the burgh of Haddington in the King's meadow and within the liberty of the said burgh, between the lands of the late William Forros on the east and west, the "Millys Burne" on the south and the common street on the north; for yearly payment of forty shillings in name of feuferme. Dated 12th December 1532. Witnesses, George Cokburne, Alexander Cokburne, George Symsoun, Stephen Darg serjeant and John Lawder, Alexander Symsoun and Nycholas Swyntoun are notaries. (*M.*)

The seal of Philip Gibsoun, one of the bailies of the burgh of Haddington, is appended in good condition.

497. 30th Dec. 1532. Decreet Arbitral by John Lord Hay of Zester and Master George Hay person of Rothven arbiters chosen by Master Thomas Hay Dean of Dunbar on the one part, and William Hay of Tallo his brother german on the other part conform to compromise between them of date 16th November 1532: decerning the said William to pay to the said Dean's preist in Dunbar called Schir Johne Spoittiswod the Lammas term of the rests of the parsonage of Quhittingham amounting to four pounds scots, and to pay to the said Dean forty pounds scots, at the terms of Lammas and Pasch after the date hereof by two equal payments: and decerning the said parties to "stand gude bredar and kyndly to utheris as breder german suld do," the party failing to pay to the other 300 merks. At Zester 30th December 1532. Witnesses, John Master of Zester, Master John Hay of Smeithfield, John Hay in Barro and Schir John Manderstoun notary public. (*M.*)

Paper.

498. 22nd Feb. 1532/3. Charter by John Lord Hay of Zester, and baron of Snaid, to Ninian Creichtoun of Bellybocht and his heirs male and assignees, whom failing, John Creichtoun his brother german and his heirs, of the 2½ marks worth of lands of Gordonistoun of old extent, which the said N. C. occupies and has in firm, in the barony of Snaid, Dumfriesshire; Paying a penny in name of blanchfirm: Edinburgh, 22 Feb. 1532: Witnesses, John Hay the granter's son and heir, Mr. John Hay of Smeithfeild, the granter's brother german, Thos. Portuus, Sirs John Manderstoun and John Mure chaplains, Donald Foulartoun, and Alex. Zong N.P. (*H.*)

Signed, seal gone.

499. 26th May 1533. Precept of Sasine by John Lord Hay of Zestir baron of Olivercastell to Charles Geddas and John Paterson in favour of John Fresale, grandson (nepos) and heir of um. Margaret Cokyland of that Ilk, in terms of the said lord's charter of the 6 mark lands of Cokyland in the barony of Olivercastle, Peeblesshire: Peebles 26 May 1533. (*H.*)

Signed, and seal appended in good condition, marked with knife points.

500. 11th July 1533. Act by way of Instrument of the Lords of Council taken by Master Henry Spittale procurator for John Lord Hay of Zestir, that Master Robert Galbraith procurator for the Prioress and convent of Haddingtoun produced an evident made by John Gifferd Lord of Zester and Baron of the Baronies of Morhame and Dunkanelaw, granting to the said prioress and convent and their successors "free and common passage by cornys and medowis putt in defence all tymes of the zeir in all wayis roddis any tyme usit frae Nunhope to the toun of Zester and fra thyne to thaire place of Hadingtoun and fra thair Grange of Nunhope to thair Grange of Newlandis and fra the said Grange and all utheris thair Grangis and landis wodis petis and turlfis in all gatis and rod is commonlie usit to thair said place of Hadingtoun with wanys cartis hors ar all utheris bestis als oft as neid beis." Which evident was under the seal

of the said John Giffert of date at the Castle of Zestir upon Thursday after the feast of St. Martin in Wynter in the yeir of Grace 1327. At Edinburgh 11th July 1533. George Gude is notary. (*M.*)

Paper.

501. 5th Dec. 1533. Extract Decreet of the Lords of Council, Edinburgh 5 Dec. 1533, narrating that Mr. Henry Lauder King's Advocate in absence of Mr. Adam Ottirburne, compeared and produced a letter from the King, dated Coupar 20 Nov. a.r. 21 (1533) narrating that George Earl of Rothes and oure advocat are under summons at the instance of John Lord Lindesay of the Byris, and also Malcolm Lord Flemyng and the said advocate at the instance of John Lord Hay of Zestir; and charging the Chancellor and Lords of Council to delay and continue the summoning of the Advocate till his return from Ingland where he is now to pass in oure service; upon the production of which Lord Hay asked instruments. (*H.*)

Extracted and signed by Mr. Jas. Foulis clerk of Rolls, Register, and Council.

502. 13th June 1534. Letters under the Signet to Nycoll Qwhippo to summon Malcolm Lord Flemyng and Mr. Adam Otterburn of Reidhall knt. King's Advocate, whose summons had been continued till his return from England, to compear before the Lords of Council on 26 June instant anent the Sheriffship of Peebles: Edinburgh, 13th June 1534.

Signet impressed and signed "J. Chepman."

Endorsement bears that Nycoll Quhippo on 15 June 1534 summoned Lord Flemyng, witnesses, John Hay, John Lyndesay, and David Hay: and on 16 June summoned Sir Adam Ottirburne, witnesses, John Hay, Patrick Hay, Mr. John Stensoun, and Sir Thos. Manderstoun. (*H.*)

503. 6th July 1534. Extract Decreet of the Lords of Council at Edinburgh 6 July 1534 narrating that Sir Adam Ottirburn of Auldhame knt., Kings' Advocate and Mr. John Lethame, procurator for Malcolm Lord Flemyng, on the one part, and John Lord Hay of Zester on the other compearing before the Lords had agreed to refer the question of the office of the Sherefschip of Peblis to the following arbiters, namely, for the part of oure souerane lord and the said lord flemyng, Mr. James Foulis Clerk of Register and Thos. Scott, and for the part of the said Lord Hay, Walter Lord of Sanct Johnis and Sir John Campble of Lundy knt., who undertook to give their decision before the Feast of Alhallowmes. (*H.*)

Extracted and signed by Mr. James Foulis, Clerk of Rolls, Register, and Council.

504. —— July 1534. Sheriffship of Peebles. Paper Schedule of Answers to the Arbiters by John Lord Hay of Zestir to the Reasons produced by Malcolm Lord Fleming:

First, the fault, for which Lord Hay came into the King's will (see No. 462) was not committed by his brother Mr. John Hay who then was not his deputy, having been long before discharged of his office: nevertheless Lord Hay was warded in Linlithgow for 6 months, "quhar I susteinit gret truble In my person and gat seiknes and malady quhilk I will never recover": and being thus punished that way should not have been also punished in his auld heretage in the away takin thairof:

Secondly, he was never summoned before the king to hear his office forfeited, being kept in ward, his grace being Inducit thairto be dissait of my lord flemyng; Also it was not part of his duty to be ane kepar of thewis who should be put in the kingis houssis and kepit thair, whence they have often escaped as from the Castle of Edinburgh And the capitane nocht punist thairfor

nother In tynsell of his office nor his heretage ; And thairfor my lordis I traist your lordis will nocht thoill the kingis grace to make new prattik :

Thirdly, whereas it is claimed that by common law, the said Lord has lost his office through the negligence of his depute Mr. John Hay, the answer is that Mr. John was not his depute, and had none of the said lord's castles in keeping, but put the thieves in the surest house he had kepand thaim in to the steple of Peblis : and both are willing to be tried by jury to shew whether they let the thieves or traitors escape by fraud or deceit :

Fourthly, because the said Lord came into the King's will his lyf and his heretage is saif to him. (*H.*)

Endorsed and signed by J. Wallace, N.P.

505. —— July 1534. Rough scroll of above. (*H.*)

506. —— July 1534. Sheriffship of Peebles. Paper Schedule of Reasons proposed to the Arbiters by John Lord Hay of Zestir.

First, Letter giving the declaration of the King's mynde and wil eftir that I put me in his graces will for the allegit falt to be produced and considered :

Secondly, Said declaration to be reduced so far as it concerns the tynsel of Hay's office, understanding that his grace is minded to do justice, admitting that Hay has been wronged :

Thirdly, pointing out that had Lord Hay and his brother been keepers of one of the king's prisons they would have been punished only if they had permitted thieves to escape through fraud :

Fourthly, the said Lord came in the King's will with the restriction, "safand my lyf and heretage." (*H.*)

Endorsed and signed by J. Wallace, N.P.

507. —— July 1534. Sheriffship of Peebles. Paper schedules of Laws and Reasons produced before the Arbiters by Malcolm Lord Fleming.

First, after Lord Hay came in the King's will at Linlithgow for the fault committed by his brother, the King, being riplie informit of the great hurt done by said fault, declared the said office of sheriffship to vaik in his hands, as stated in his Declaration :

Secondly, the said Declaration gave the reason why the said office should return to the King :

Thirdly, the said Declaration ought to stand because it tempers and does not exceed the rigour of the law :

Fourthly, this case will be an example to other negligent sheriffs :

And finally the said declaration standand unreducit the disposition and gift maid to me be the kingis grace of the said office than be his said declaration vaikand in his handis Is of effect and suld nocht be reducit. (*H.*)

Signed by Johannes Wallace, N.P.

508. 2nd Oct. 1534. Record of the decision by Walter Lord of Sanct Johnis, John Campble of Lundy knt., Mr. Jas. Foulis of Colyntoun clerk of Register, and Thos. Scott of Petgorno, arbiters between Malcolm Lord Fleming and John Lord Hay of Zestir (see No. 503), with consent of both parties, being present, and the King's Advocate, continuing their decision till 25 Dec. next : Done in the College of S. Giles of Edinburgh, 8 a.m. 2 Oct. 1534 ; Witnesses, Masters Rob. Galbratht, Peter Galbratht, Wm. Mowbray, Michael Tullois, and Sir John Manderstoun. (*H.*)

Paper signed by John Wallace, N.P.

509. 27th Oct. 1534. Letter of Regress under the Great Seal direct to the bailies of Edinburgh, within the Constabulary of Hadingtoun for Sasine to be given to John Lord Hay of Zester of the lands of Gamilstoun and Reidishill, as now redeemed from George Lord Seytoun. At Edinburgh 27th October 1534. (*M.*)

Fragment of Great Seal attached.

510. 20th Janry. 1534/5. Letters under the Signet to Nycoll Qwhippo, resummoning Lord Fleming and the King's Advocate, because the arbiters (see No. 508) had failed to give a decision in the specified time, to compear on the 3rd Feb. next: Edinburgh 20 Janry. a.r. 22 (1534-5).

Signed, "J. Chepman," and signet impressed.

Endorsement bears that on 23 Janry. 1534/5 Nycoll Quhippo summoned Lord Flemyng; and on the 27 Janry. Mr. Adam Ottirburn, witnesses Sir Jas. Hammyltoun of Fynnert knt., Rob. Caverhill, Thos. Caverhill, Mr. Adam More, Michael Tullos, John More, and Sir John Ker. (*H.*)

Signet impressed on paper upon wax.

511. —— Feb. 1534/5. Sheriffship of Peebles. Paper schedule of Articles and Reasons submitted to the Lords of Council by John Lord Hay of Zester. It combines Nos. 504 and 506, the headings of which have been altered later to Lords of Council instead of Lords Jugis Arbitouris. (*H.*)

512. —— Feb. 1534/5. Copy of No. 511, but addressed to the Lords of Council. (*H.*)

513. 16th Feb. 1534-5. Charter by Walter Lindesay Lord St. John preceptor of Torphichen, Knight of the Order of Jerusalem, in favour of Hector Hwme his heirs and assignees, of a temple land with pertinents lying in the town and territory of Duncanlaw Sheriffdom of Lothiane and Constabulary of Hadingtoun, which formerly belonged to Patrick Cokburn of Newbigging and was resigned by him. Holding of the granter in fee and heritage forever. Paying yearly therefor six pennies scots in name of feuferme; Reserving the granter's right and duties of the same. At Edinburgh 16th February 1534. Witnesses, Andrew Lindesay, Thomas Evine, Alexander Lindesay and Thomas Broune. (*M.*)

Seal of granter perfect.

514. —— March 1534/5. Supplication by John Lord Hay of Zestir, narrating that the question between him and Lord Fleming over the Sheriffship of Peebles had been referred to arbiters (see No. 503) who should have given their decision before the last feast of Zule, but have done nothing and therefore the time is expired: wherefore the said Lord Hay had Lord Fleming and the King's Advocate summoned to compear before the Lords on 3rd Febry. last; and has been waiting sentence ever since the said day, wherefore he prays the Lords for a speedy hearing. (*H.*)

Paper. Not signed nor dated.

515. 5th March 1534/5. Extract Decreet of the Lords of Council, Edinburgh 5 March 1534, continuing action between John Lord Hay of Zestir and Malcolm Lord Flemyng over the Sheriffship of Peebles to 24 April next: extracted and signed by Sir Alex. Scott deputy of Mr. Jas. Foulis of Colintoun Clerk of Rolls, Register, and Council. (*H.*)

516. 24th March 1534/5. Rex. Chancellar president and lordis of oure counsale and sessioun We gret zow wele forsamekle as oure louit cousing Johne lord hay of zester hes ws and oure cousing malcolm lord flemyng vnder summondis befor zow for retreting of the gift made be ws to him of oure said cousingis office of sherefchip of peblis quharthrow we ar gretumlye murmurit for postponying of the samin In the quhilk actioun ze haif procedit to the resonis and lawis to be gevin in befor zow And as zit na end maid thairin Our Will Is heirfor and we pray zow richt effectusly and als requiris and chargis zow yat ze Incontinent efter the sicht heirof proced in the said mater and mak ane finale end thairof be ane sentence diffinitive And do iustice to oure said cousing Johne lord hay of zester thairin but mayr Sua that we heir na mayr complaynt in zoure defalt for the samin in tyme cuming as ze will ansuer to ws thairupoun and haif speceale thank of ws thairfor and do ws singulare emplesoure nocht withtstanding ony oure writingis gevin or to be gevin to zow in the contrar for oure will and mynd Is that he haif iustice Subscriuit with oure hand At striueling the XXIIII day of marche And of oure regnne the XXII zere gif the samin may be done outhwitht parliament and at we haf iustice and he ( ). Signed James Rx. (*H.*)

517. 20th May 1535. Instrument of Sasine in favour of Mr. Robert Walterstoun provost of the Collegiate church of Bothanis, of an acre of arable land lying within the liberty of the Burgh of Hadingtoun in "lye" Harmanflat thereof, between the Market Street which leads to "lye" byris on the west, the lands of the late William Fowlar on the east, the lands of Pettercraig on the north, and the common Vennel on the south on redemption of the same from John Gourlaw, and which the said Mr. Robert Waltersoun resigned in the hands of Mr. Alexander Hepburn one of the bailies of the said burgh, for Sasine to be given to Sir Hugh Bauld chaplain of the Holy Rood altar founded in the said church and his successors. Dated 20th May 1535. Witnesses, Thomas Waus, John Johnestoun, Master Patrick Cokburn, John Crosar, John Gourlaw, Patrick Congaltoun, James Lindesay, Patrick Congaltoun and John Lawder seriand. Bartholomew Kello is notary. (*M.*)

The seal of the bailie is appended in good condition.

518. 9th and 11th August 1535. Rolement of the Court of the barony of Adcarmure hald at the place consuetud of the samyn the ix day of August in the zere of God j m. vc. xxxv zeiris be John Lord Hay of Zester etc. Alexander Robisoun officer and John elder dempter. Names mentioned. Matho Woid, John Robisoun, Wille Mathe, Andro Cadder, John Murheid, Adam Wallace, Andro Faroun. 11th August 1535. Names mentioned. Will Robesoun, Thom Wilkinsoun, Adam Seyr, Alexander Gibrissoun, Alan Stewart, Wille Fayrly. Endorsement. Roll of Court held 24th January 1536/7 held at Alantoun by Alan —— baillie of lord Hay, Alexander Robisoun officer and John Elder, dempster. Names Mentioned Wille Walker and Henry Bell were absent. Wilze Hiltsoun, Andrew Farholine, Will Robisoun. (*H.*)

519. 22nd November 1535. Extract Act of Itinerary Court of Justice in the sheriffdom of Drumfries held at the burgh thereof by Archibald Earl of Argyle, etc. and Justiciar General. Finding William Amuligane guilty art and part of oppressing John Lord Hay of Yester and his tenants in Snaid by destroying 9 arrable acres in his lands of Gilmerstoun in 1531, also in ejection of said tenants from the rudis of the dikes of Gilmerstoun ; and in detention of said lands waste for 5 years preceding 1533, profits amounting to £40 yearly : John Greirson of Lag became surety for William A. (*H.*)

Extracted and signed by Nicholas Craufurd of Oxingangis, Justice Clerk.

519A. 14th December 1535. Charter by Elysabeth Hepburne Prioress of Haddington and the Convent to Sir Hugh Bald of a tenement of land in the Nungait between the land of Henry Kerintoun on the west and land of John Wylsoun on the East ; also 3 pieces of land in the Braidcroftis between lands of umquhile Andrew Mersour on east and land of umquhile John Getgude on west ; and an annual-rent of 8d. from the tenement of umquhile John Puddill, all resigned by the said Henry Kerintoun in favour of the said Sir Hugh Bald ; to be held of the Prioress and her successors for the yearly payment of 4d. for the tenement, and 9d. for the 3 pieces of land at Pentecost and Martinmas : At the Monastery of Haddington, 14th December 1535 : Witnesses, Mr. Alexander Hepburne, George Hepburne of Paulewole, John Lyddall, and Sir Patrick Bane. (*H.*)

Seal of Prioress appended, in good condition.

520. 14th Dec. 1535. Precept by Elysabeth Hepburn Prioress of the Monastery of Haddingtoun directed to Mr. John Hepburn of Benistoun and George Hepburn bailies in that part, following on the foregoing : At the Monastery of Haddingtoun 14th December 1535. Witnesses as before. (*H.*)

The common seal of the Monastery is appended, in good condition.

521. 15th Dec. 1535. Extract Decreet of the Lords of Council, Edinburgh 15 Dec. 1535, continuing till 22 Janry. next the action by Walter Hunter of Polmude, Charlis Geddes of Rauchane, John Patersoun in Harthstane with the Remanent of the tenants of the barony of Olivercastell against Alex. Bard and Nycoll Marschell for taking £40 from them at the command of Malcolm Lord Flemyng, although John Lord Hay of Zestir had already paid the taxt of the said barony to Mungo Tennent Thesaurar of Edinburgh on 20 August last as his acquittance bears : And Decerning the said Alex. Bard to produce an authentic Retour under the baronis selis to shew the extent of Lord Hay's lands ; to restore anything he has taken from the said tenants : extracted and signed by Sir Alex. Scott, depute of Mr. Jas. Foulis of Colintoun, clerk of Rolls, Register, and Council. (*H.*)

522. 23rd Jan. 1535-6. Charter by Master Robert Walterstoun of Haddingtoun, provost of the Collegiate Church of Bothanis and rector of Petcoke, Mortifying to the Blessed Trinity, the Virgin Mary, St. John the Evangelist, and All Saints, for the welfare of the souls of King James V., Patrick and Adam, his son, earls of Bothwell, John Lord Hay of Zester, his wife, and successors, and of Nicholas Haye, late prebendary of the College Kirk of Bothanis, the father, mother, brothers and sisters of the granter ; a secular chaplain to sing matins, mass, vespers, etc., in the choir of the said Collegiate Church of Bothanis, and to celebrate mass at the Altar of the Holy Cross in the said church ; the granter's tenement of land fore and back under and above, lying in the burgh of Hadingtoun in "lye" Hardgait between the land of John Masoun on the north, the land of Robert Beir on the south, the common way on the east, and the lands of Christiane Kelle on the west ; also his two acres of arable land lying near the said burgh of Hadingtoun, on the north part thereof, between the lands of "lye" Harpardane on the east and north, the lands of John Aytoun on the west and the lands of the late John Hynd on the south ; and an annual rent of thirty shillings furth of a tenement of land of the late John Candil, now of John Beruik, lying in the said burgh of Hadingtoun, on the north part of the market cross, between the land of the late William Young on the north, the King's street on the south, the land of the late Thomas Mawane on the west, and the common Vennel on the east ; and an annual-rent of forty shillings furth of an arable land which now holds of the granter to John Burn in feuferme, lying on the south part of the said town of Hadingtoun in the King's meadow, between the lands of the late William

Fourros on the east and west, and one acre of arable land lying on the north part of Hadingtoun within the liberty of the said burgh in "lye" Hermanflat, between the land of the late John Getgude on the east and the common street on the west, the land of Peddercraig on the north and the lands of the late Adam Lawson on the south; Also the Granter's tenement lying in "lye" Nungait on the south part, between the lands of Andrew Keruntoun on the west, the land of John Wilsoun on the east, —— land lying in lie Braidcroftis between the lands of the late Henry Keruntoun on the east, and the land of John Getgude on the west; Also an annual-rent of eight pennies furth of a tenement of the late John Puddill lying in "lye" Nungait on the north part thereof between the land of John Mayn on the west and the land of the late James Tait on the east; Moreover in aid of religion John Lord Hay of Zester gave the Manor place etc., in the village of Bothanis between the land of the late Alexander Lempetlaw on the south, the land of the Chaplainry of St. Edmund on the west, the High Street on the east and north; Also an acre of arable land now occupied by John Smyth with two garsowmes in the pasture of Gamilstoun and two "dairkis of peittis or turfis." Also the house annexed to the tenement of land lying in the said village of Bothanis on the south part, between the land of the Holy Cross on the west, the common street on the east and north, and the croft of the rector of Morhame on the south, together with one rig of land and kiln lying on the south and west parts of the said tenement, viz.: near the cross which leads to the town of Gamilstoun, with two acres of arable land lying in the said town of Gamilstoun, etc., Holding in free pure and perpetual alms: At the Castle of Zester 23rd January 1535. Witnesses, John Hay, son and apparent heir of the said Lord of Zester, George Broun Lord of Cummer Colistoun, Mr. Thomas Hay prebendary of Bothanis, Sir John Giffert of Innerlethan vicar, John Manderstoun, notary public, John Henresoun and John Frysall chaplains. (*M. and H.*)

Seals of the granter and of Lord Hay of Yester are appended, in good condition.

523. 23rd Janry. 1535/6. Copy of the foregoing on paper. (*H.*)

524. 4th Feb. 1535/6. Extract Decreet of the Lords of Council continuing the action over the Sheriffship of Peebles to 15 March next, Lords Hay and Fleming, and Mr. Adam Ottirburne, being present: Edinburgh 4 Feb. 1535: Extracted and signed by Sir Alex. Scott depute of Mr. Jas. Foulis of Colintoun, clerk of Rolls, Register and Council. (*H.*)

525. 14th and 15th July 1536. Roll of Court of the Barony of Adcarmuir haldin at the place consuetud be my lord (John Lord Hay of Yester) 14th July 1536, officer Alexander Robeson, dempster, Will Walker. Names mentioned: John Aytoun, James and John Zoung in Torbrax, John Robesoun, John Elder, Andro Calder.

Court continued 15th July.

Names mentioned: Thom Doby, James Brown, Alexander Weyr, John Zoung and Margaret Scot in Torbrax, Besse Robesoun, James Melvyn, William Fayrlie, John Elder, elder, and Thom Fairholm.

Assisa.

Alan Stewart, John Reid, William Fayrlye, James Melvyne. Matho Woid, Thom Bell, Thom Wallace, James Cadder, Andro Cadder, William Hiltsoun, Peter Clyd, John Robesoun, James Schaw, John Murheid, William Robesoun.

"The quhilk day ye assis fyndis ade Wallace and peter Clyd dikis nocht sufficient and Matho Woidis dik siclyk." (*H.*)

526. 24th July 1536. Extract Decreet, Edinburgh 24th July 1530, by the Lords of Council underwritten, Gawin Archbishop of Glasgow the Chancellor, Alexander Abbot of Cambuskynneth, Robert Abbot of Kinloss, Walter lord of

Sanct-Johnnis, Mr. William Gibsoun Dene of Lestalrig, Mr. James Foulis of Colintoun Clerk of Register, James Coluill of Eist Wemis knt., And Mr. Thomas Ballenden, Anent the summons raised by George Hay, son and heir apparent of Mr. George Hay of Mynzeane, against David M'Cubyn brother-son and heir of umquhile William M'Cubine Decerning that the said David M'Cubine has tint his superiority of 20/ worth of land in Snaid for his lifetime and that the said George Hay is to be entered thereto of his immediate superior. David M'Cubine having failed to do so after 40 days' warning. Extracted and signed by Mr. James Foulis of Colintoun, Clerk of Rolls, Register and Council. (*H.*)

527. 28th July 1536. Charter by John Lord Hay of Zester to Mr. Thomas Hay, his brother german, his heirs etc. of the granter's two part of the quarter of the Park of Zester, occupied by William Nicolsoun and Isobella Diksoun his wife, lying in the barony of Zester, constabulary of Haddington, and shire of Edinburgh, for a sum of money paid; At Zester 28th July 1536: Witnesses, John Hay son and apparent heir of said lord, George Brovwn of Colstoun, John Hay, Nicholas Quhippo of Kydlaw, Archibald Schoriswoid, George Hay, Sir John Hendersoun Chaplain, and Sir John Manderston chaplain and N.P. (*H.*)

Signed and seal appended in good condition. Document slashed to indicate cancellation.

528. 5th December 1536. Letters under the Signet direct to John Lyndesay sheriff to summon George Hay, son and apparent heir of Mr. George Hay of Mynzeane, to compear before the lords of Council at the instance of John Lord Hay of Zester, baron of Snaid, produce a decreet dated 24th July 1536 (No. 526), and hear it decerned of no avail because David Makcwbin is not brother-son and heir of umquhile William Makcwbin: Edinburgh 5th December A.R. 24th (1536). Signed J. Gude and Signet impressed. A footnote records agreement of parties to continue to 26th January next. Endorsement bears that John Lyndesay summoned George Hay on 20th January 1536. Witnesses, David Fouross burgess of Haddington, John Auchinlek, and Sir John Manderstoun. (*H.*)

Note.—On the back of the document within the ring formed by impression of the signet is written "Tabulat."

529. 20th December 1536. Letters under the Signet direct to Ninian Dezell and Alexander Donaldsoun sheriffs to summon William Amuligane and John Greirsoun of the Lag, as pledge and surety, to compear before lords of Council at Edinburgh on 28th February next to answer at the instance of John Lord Hay of Zester and of William Greir, John Tagart, John Heroune, Alexander Cotis, John Moffet, Malcome Haliday, Andro M'Gowne, Nicol M'Ketrik, Rob M'Clangberoun, Elizabeth M'Clangberoun, Matho M'Gowne, Gilbert M'Gowne, John M'Gowne, Cuthbert Amuligane, Gelcus M'Connel, John Cunninghame, and William M'Cowbin, pouer tenentis of Lord Hay in Snaid for the damage committed by the said William Anuligane on the said tenants by the destruction of 9 pleuchis, viz. 1 pleuch pertaining to the said Robert and Elizabeth M'Clangberoun and one pleuch pertaining to ilkane of the remanent of the abovewritten tenants in the lands of Gilmerstoun in Snaid in the year 1531, value 40/; and compensate said William Greir for the downcasting by William Amuligane of 100 roods of dyke of his mailing of Gilmerstoun, value 23 merks: and refund to Lord Hay the profits of said lands for 5 years past preceding 1533, extending yearly to £40; Also to summon the following witnesses, John Chairterhous, John Heroune, Archibald Aitkin, Thomas Wilsoun, John of Mure, Sir John Mure chaplain, Mr. George Dalzell, Andrew Makgleg, Robert Makuirday, and Alexander Charterhous: At Edinburgh 20th December A.R. 24 (1536). Signed J. Chepman and Signet impressed.

Endorsement bears that Alexander Donaldsoun summoned Amuligane and Greirson on 19th January 1536: Witnesses, John Cunningham, Alexander Coittis, and John Moffet: and the witnesses on 20th January 1536, Witnesses, John Foster, John Greinschelis and John Nealsoun.

Another Endorsement reads: "viij ferij anno, etc., vcxxx viij Comperit Jhone lord hay of Zester and constitut procuratouris for him M. Jhone hay. M. James carnmur cum sectis curie In ye actioun withtin and for all vtheris actiounis cum——Et promisit de Rato J. Scott."

Also: "Dominus hay presens Intentit his actioun aganis the souertie allanerly Decretis."

Also marked "Tabulat," see No. 528. (*H.*)

530. —— —— 1536. Warrant for a Letter under the Privy Seal revoking the forfeiture of John Lord Hay of Zester's office of Sheriff of Peebles because the said Lord is hewylie and girtly hurt considering the said office of sherefschip pertinet to him and his predecessouris heretably past memor of man: Blanks left for place and day of month, 1536. (*H.*)

Not signed. A rough scroll or a contemporary copy.

531. 15th February 1536/7. Transumpt dated 1561 of the following entry in the Protocol Book of Alexander Simson, senior Town Clerk of Haddington: "Decimo quinto die mensis februarij anno dominj millesimo quingentesimo trigesimo sexto. The quhilk day Johne Sinclar of blans past to sex akeris of land lyand withtin the fredome of Hadingtoune on the southt syde of the samyn foure of thaim in the myllflat And twa in dokenflat betuix the landis of Maister bartill Kello on the eist and thomas dykesoun on the west and thair he resignit be eird and stane fourty schillingis annuell rent zeirlie to be tayne of all and haill the saidis sex akeris in the handis of patrik lausoun for possessioun to be gevin to maister thomas hay dene of dunbar the quhilk possessioun the said baillie gaif to William hay of tallo attornay to the said maister thomas at elevin howris afore nowne witnes nycoll quhippo, William Cokburn, georg cokburn mungo Myller, thomas myller, william masoun and Johne lauder seriandis." (*H.*)

See MS. Protocol Book of Alexander Simson, 1529-1544, fol. 87b, preserved amongst Burgh Muniments, Haddington.

532. 11th March 1535/6. Extract of Letter by the King narrating that forasmuch as the addressee was to depart furth of the Kingdom on the King's erands and that there are sundry matters depending before the Lords of Council and Session specially the matter of the Sheriffship of Twedell, therefore he is to direct Act be made that there be nothing done in that matter till his return, because he had the defences of the same. At Striveling 11th March (23rd year of the King's reign) 1535-6. (*M.*)

Signed by James Scott, clerk to the Council and notary public. Paper.

533. 30th May 1536. Instrument of Sasine by William Newtoun of that Ilk to George Hay as attorney for John Lord Hay of Zester of an annual-rent of four merks furth of the lands of Newtoun that pertained to the late Thomas Newtoun, lying at the west end of the town of Newtoun on the north part thereof, in the shire of Edinburgh and Constabulary of Haddingtoun. Dated 30th May 1536. Witnesses, George Newtoun, John Lyndsay and John Symsoun. John Manderstoun is notary. (*M.*)

534. 31st May—11th July 1536. Drafts for Notaries Protocol of the following Instruments. (1) William Newton of that Ilk gave Sasine to George Hay attorney for John Lord Hay of Zester of an annual-rent of four merks out

of a land lying in the west of the town of Newtoun on the north part thereof. At Newtoun 31st May 1536. Witnesses, George Newtoun, John Lyndsay and John Symsoun. (2) David Walderston granted that a Decreet made between him and William Newtoun of that Ilk by George Sandelands and his colleagues was fulfilled in all points and that the said David received "ane quhit meyr" and xxviij shillings scots in fulfilment thereof and protested that the same should not hurt him and his heirs in his heritage and annuells of Newtoun. Dated as above. Witnesses, Archibald Newtoun, John Newtoun and John Blaky. (3) George Hay gave Sasine to William Hay of Tallo of his five merk land in clause of warrandice as in tak and charter thereof. At Ugston 30th May (no year). Witnesses, Stephan Mertyn, Andrew Mertyn and —— Mertyn. (4) John Lyndsay gave Sasine to Maister Thomas Hay conform to Precept. Dated 1st June 1536. Witnesses, Andrew Hay, Archibald Schoriswood, Stephan Schoriswood, John Tranent, Archibald Diksoun and William Nicolsoun. (5) Maister Thomas Hay required Gilbert Hum to pay him four pounds ten shillings, as he that was debtor for Thomas Sincler, and bade Thomas Colstoun officer apprise his goods for the same; and that the said officer caused apprise "fourteen Zowis" for the same. Dated 1st June 1536. Witnesses, Andrew Hay, Cuthbert Hay and Alexander Donaldson. (6) Maister Thomas Hay took instruments that William Nicolsoun and Esabell Diksoun his spouse granted the warning of them lawful to receive 200 merks for the twa part of ane quarter of the Park and that the said lands were lawfully redeemed. Dated 1st June 1536. Witnesses, Andrew Hay, Archibald Schoriswoid, Stephan Schoriswood, Sirs William Lory and John Freschall, chaplains. (7) William Hay of Tallo took instruments that George Hay had received from him 25 pounds scots for seven year's tak of his five merkland in Ugstoun and that said William had gotten a Sasine thereof in clause of warrandice. Dated at Kirk of Bothanis 3rd June 1536. Witnesses, John Hay Lord of Zester, Archibald Schorswoid, Sirs William Lory and John Freschall chaplains. (8) On the same date and before the same witnesses the said George Hay took instruments that the said tak of seven years being run, the said William Hay had no more interest thereto so that he would occupy the said land. (9) Lord Zester took instruments that William Nicolsoun and Esobell Diksoun his spouse and Mongo Nicolsoun and his spouse were warned to that day (3rd June) to receive the sum of fifty pounds scots as the reversion price of a husband land in Zester, which sum was paid in the hands of the provost of Bothans. Dated 3rd June 1536. Witnesses, Provost of Bothans, Vicar of Innerlethan, Sirs William Lory and John Freschall chaplains, Archibald Schoriswoid and George Hay. (10) Lord Zester took instruments that William Nicolsoun and Mongo Nicolsoun his son granted themselves warned of the sum of fifty pounds paid to them on the Lady altar in the College Kirk of Bothans for redeeming of a husbandland in the town of Zester which was "Jame Todrykis" and they to bring the charters that day afternoon to have them cancelled. Dated 8th June 1536. Witnesses, William Hay of Tallo. Andrew Johnstoun of Elphinston, George Johnston. John Hay, George Hay, Sirs William Lory and John Freschall chaplains. (11) John Lyndsay took instruments that he warned Will Nicolsoun's wife at their dwelling place to remove their goods therefrom except xx soume and to red the house or ellis to be haldin violent possessors. At Park of Zester 11th July 1536. Witnesses. Archibald Schoriswood and Patrick Nicolsoun. (*M.*)

Paper.

535. 1st June 1536. Instrument of Sasine proceeding upon Precept by John Lord Hay of Yester directed to John Lyndsay and Andrew Hay his bailies, for infefting Master Thomas Hay his brother german in a two part of a quarter of the lands called the Park of Zester, lying in the town of Park, shire of Edinburgh and Constabulary of Hadingtoun. Precept dated at Zester 1st June 1536. Sasine dated 1st June 1536. Witnesses, Andrew Hay, Archibald Schoriswoid, Stephan Schoriswoid, John Tranent, Archibald Diksoun and William Nicolsoun. John Manderstoun is notary. (*M.*)

536. 2nd Novr. 1536. Letters under the Signet, at the instance of George Hay, son and heir of Mr. Geo. Hay of Mynzeane, to David Lowry, messenger, to summon John Lord Hay of Zester, who has already disobeyed a similar charge, as immediate superior of David Mccubyn, brother-son and heir of um. Wm. Mccubyn of the 20sh. land of Snaid, to enter the said Geo. Hay to the said lands for the lifetime of David conform to a Decreet of the Lords of Council; and that within 3 days or enter himself into ward at Blackness Castle at his own expenses, under pain of being put to the horn and his goods escheated: Edinburgh 2 Nov. a.r. 24 (1536).

Signed "J. Chepman," and signet impressed, badly broken.

The endorsation bears that on the 4 Nov. 1536 David Lowre summoned Lord Hay at his dwelling place of Zestir because he could not apprehend him personally: Witnesses, John Auflek, Geo. Hay, and Wm. Dalzell. (*H.*)

Signed, diamond shaped piece of paper upon wax.

537. 15th Janry. 1536/7. Charter by Ninian Dowglace Vicar of Stobo, with the consent of Gavin Archbishop of Glasgow, Chancellor of Scotland, and the Chapter of Glasgow, To Thomas Alexander, son of um. John A., and his heirs male of the 20sh. lands of Westirhoprew, now occupied by the said Thos. and his mother Cristina Symsoun, at a yearly rent of 40sh., lying in the barony of Hoprew and shire of Peebles: To be held of the granter and his successors, Vicars of Stobo infeefirm for payment of £4 yearly in augmentation of the said rental; Provided that the said T. A. and his heirs reside on the said lands, build houses, and plant 9 plantations of trees: Glasgow 15 Janry. 1536. (*H.*)

To the first tag is appended the round seal of the Archbishop and to the second that of the Chapter, both in bad condition. The Vicar's seal, appended to the third tag, is gone.

538. 10th July 1537. Rollment of Ethkermuyr held at Alantoun by Alan Stewart baillie to John Lord Hay of Zester 10th July 1537, Alexander Robesoun was created serjeant; the court continued to 9th October next: and James Melwell ordered to repay 16s. borrowed from Vilze Seir. (*H.*)

539. 12th August 1538. Instrument of Sasine following on No. 537, 15th January 1537/8, given by Sir Ninian Dowglace perpetual vicar of Stobo to Thomas Alexander: Done 1 p.m. 12th August 1538: Witnesses, William Dikesoune burgess of Peebles, James Mekle, Alexander Weitht dweller in Easter Daill baillie of said vicar, Sir Thomas Nielsoune curate of Stobo, Patrick Greirsoune vicar of Lyme, Andrew Browne, and John Cairndoris: Robert Breuhous, priest Glasg. dio. N.P. A.a. (*H.*)

540. 14th September 1538. Warning by way of Instrument by Alan Stewart procurator for John Lord Hay of Zester to John Howme of Blacater, husband of Beatrice Blacater lady portioner of said lands, to receive the sum of £100 upon the Altar of St. James in the College Kirk of S. Giles, Edinburgh, on the 9th November next in redemption of half of the £5 lands of Daviddykis, Derngewill and Ethkerhed in the lordship of Ethkermwyr, shire of Lanark, alienated under reversion by the said lord to umquhile Andro Blacater of that Ilk, grandfather of said Beatrice: Done at Dunbartane 2 p.m. 14th September 1538: Witnesses, John Johnestoun of that Ilk, Malcolm Sterling, Thomas Russell and James Cadder: Ninian Briss, priest Glasgow diocese N.P. A.a. (*H.*)

541. 16th Feb. 1538/9. Letters Ordinary by David Archbishop of St. Andrews, Primate of Scotland &c., to the Dean of Hadington &c., constitute by Letters from Pope Paul III. dated at Placenta 4th May 1538, with an apostolic Process by Peter Lambert Bishop of Casertan, Judge and executor of the foresaid letters of date at Rome 24th December 1538, for presenting Mr. Thomas Hay brother german of John Lord Hay of Zester prebendary of the Collegiate Kirk of Bothanis, to the Provostry of the said Kirk by Mr. Patrick Cockburn prebendary of Dunbar procurator for the said Mr. Thomas, in his name, on resignation of the same by Mr. Robert Walderstoun last provost thereof; Reserving all the fruits and rents thereof to the said Mr. Robert. At the Palace of St. Andrews 16th February 1538. (*M.*)

The round seal of the Archbishop has been attached but is almost entirely broken away. Paper.

542. 19th February 1538-9. Five years Tack by John Lord Hay of Zester to Johne Fylder, Agnes Diksoun his spous the langer lewar of thame tua and failzeand thairof Alexander fylder broder to the said Johne of the half husbandland in Duncanlaw, barony of Zester, constabulary of Hadingtoun, occupied by William Cartar and Elspetht Bald: paying yearly 6 shillings 8 pence scots "with careagis, dawikis and cayne foulis wss and woynt": 19th February 1538: Witnesses, Mr. Thomas Hay provost of Bothanis, John Foster Young laird of Gamylschelis, John Lyndsay, Mongo Nicolson and Sir John Manderstoun. (*H.*)

A rough scroll on paper.

542A. 7th May 1539. Charter by John Lord Hay of Zeister, baron of Snaid, to Andrew Wilsoun in Laggane of an annual-rent of 9 marks from the lands of Laggane in Snaid: Edinburgh 7th May 1539: Witnesses, Mr. John Hay of Smeithfeild, Mr. Thomas Hay Provost of Bothanis, Alexander Wilsoun burgess of Edinburgh, John Lindesay, John Neilsoun, and Sir John Manderstoun chaplain and N.P. (*H.*)

Signed and seal appended, marked with knife points to indicate cancellation.

543. 7th May 1539. Charter by John Lord Hay of Zeister baron of Snaid, to Andrew Wilsoun of an annual-rent of 9 marks from the lands of Conistown in Snaid in security and special warrandice of another annual-rent of 9 marks from Laggane (see No. 542A): Edinburgh 7th May 1539: Witnesses as above with addition of Andro Wilsoun. Signed and sealed as before. (*H.*)

544. 7th May 1539. Precept of Sasine, following on No. 542A, direct to John Wilsoun in Tynroun, John Wilsoun, and Gilbert Wilsoun there: Edinburgh 7th May 1539. (*H.*)

Signed, and three-quarter seal appended, marked with knife point.

545. 7th May 1539. Precept of Sasine, following on No. 543, direct to same persons as in No. 544: Edinburgh 7th May 1539. Signed and sealed as before. (*H.*)

546. 8th May 1539. Reversion by Andro Wilsone in Laggane of annual-rents from Laggane and Conistoun (see Nos. 542A-3) for £120 to be paid on S. Cuthbert's Altar in the Parish Kirk of Tynneron: Edinburgh, 8th May 1539: Witnesses as in No. 542A with addition of Andro Wilsoun son of said Andro, and Alexander Makneill N.P., who leads Wilson's hand at the pen for signature. (*H.*)

Seal appended in good condition.

547. 13th May 1539. Instrument of Sasine, following on No. 544, given by John Wilsoune in Tynroun : At Laggane 10 a.m. 13th May 1539 : Witnesses, Edward Dalrumpill, Andro Vilsoune ygr., Thomas Carsthan : Thomas Connalsoune, priest Glasgow Dio. N.P. A. and I.a. (*H.*)

548. 13th May 1539. Instrument of Sasine, following on No. 545, given by John Vilsoune in Tenroune : At Conistoun 11 a.m. 13th May 1539 : Same witnesses and notary as above. Slashed to shew cancellation. (*H.*)

549. 16th May 1539. Instrument of Sasine given by Andrew Vilsoun in Laggane following on a Precept of Clare Constat by John Lord Hay of Zester direct to his baillies Andrew Vilsoun, Alexander Cottis and Edward Dalrumpill to infeft Andrew Roresoun as heir of his grandfather umquhile Andrew Roresoun in a £5 land of Lagane in the barony of Snayd, dated Edinburgh 14th May 1539: Done at Lagane at the house of the said Andrew, 6 p.m. *16th July 1539 (sic)*: Witnesses, James Creichtoun of Carco, Laurence Creichtoun in Manis, Edmund Clerk senior, and Thomas Phillop : Robert Creightoun A.M. priest Glasgow diocese N.P. A.a. (*H.*)

Slashed and backed "Cancellat."

550. 21st May 1539. Copy by Alexander Romannos, N.P., of Reversion of Andrew Rorysone of £3 land of Laggane (see No. 352). Endorsed.—"The xxi day of Maij in the yir of God J.M. v^c and xxxix zeiris my lord Zestir redemit the landis of the Lagane fra Andro roresoun of bardarmocht and the said day the said Andro ackit him in the officeris bukis of Edr. to releif the said lord and his aris of the said landis of laggane be the said Andro moder (*blank*) Creichtoun and utheris." (*H.*)

Paper.

551. 21st May 1539. Instrument narrating that John Lord Hay of Zeister and Andrew Roresoun of Bardanoch, grandson and heir of umquhile Andrew Roresoun of Bardanoch, compeared in the dwelling house of Alexander Zoung, N.P., in the burgh of Edinburgh : and there the said A. R. resigned to Lord Hay for the sum of 260 marks of redemption money the £3 lands of Laggane, barony of Snaid, alienated by umquhile John Lord Hay of Zeister to umquhile Andrew Roresoun of Bardanoch grandfather of said Andrew Roresoun : Done 9 a.m. 21st May 1539 : Witnesses, John Houstoune of that Ilk, John Houstoun in Lang, Charles Geddes of Traquhare, John Forest son and heir apparent of John Forest of Gammilschelis, John Neilsoune, Cuthbert Roresoune and George Zoung son of said Alexander Zoung : Notaries, Alexander Zoung, Clerk S. And. dio. N.P. A.a. : John Buchquhanane, Clerk Glasgow diocese N.P. A.a. : John Manderstoun priest S. Andrew diocese, A.a. (*H.*)

552. 17th June 1539. Extract Decreet. Edinburgh 17th June 1539, by the Lords of Council underwritten, Alexander Abbot of Cambuskynetht, Robert Abbot of Kinloss, Walter Lord of Sanct Jhonis, Mr. Henry Quhite Dene of Brechin, Mr. William Gibsoun Dene of Lestalrig, Mr. Robert Galbraitht persoune of Spott, Mr. Jhone Lethame subdene of the Trinite College, Mr. Henry Sinklar persoune of Polwart, Mr. James Foulis of Colintoun Clerk of Register, Mr. Thomas Ballendene director of the chancellarie, and Mr. Henry Balnavis, Anent the summons by John Lord Hay of Zester against William Amuligane and John Grierson of Lag (see No. 529) Decerning John Greirson of [illegible] to pay said profits to Lord Hay. (*H.*)

Extracted and signed by Foulis.

553. 17th June 1539. Letters under the Signet to Sheriff of Dumfries and Adam Forman, Herald, to apprise the lands of John Greirson of Lag, as surety for William Amuligane for payment of the profits of Gilmarstoun to John Lord Hay of Zester: Edinburgh 17th June 1539. Signet impressed and signed J. Chepman.

Endorsement bears that Adam Forman, on 21st January 1539, unable to apprehend moveable goods of Greirson, went on the 22nd to Greirson's lands of Terrarane in the barony of Glencairn, and set a court to be held at Dumfries on 17th February to apprise said lands. Witnesses, Alexander Coittis, Roger Cunnynghame and John Cunnyngham. Signet impressed, paper on wax. (*H.*)

554. 12th Aug. 1539. Submission by John Lord Hay of Yester on the one part, and George Broun of Colstoun on the other part, to John Hay of Smeithfeld brother of the said Lord and arbiter chosen by him, and John Hepburn of Benistoun, William Hay of Tallo, Gilbert Hume of Barro, John Hay, Archibald Dayle, Master Thomas Hay for the said George, with Henry Congiltoun of that Ilk, as oversman, anent the dividing and setting of Marches between the lands of Duncanlaw and Colstoun. At Yester 12th August 1539. Witnesses, Mr. Thomas Hay, provost of Bothanis, John Hay son to the said Lord, George Hay, John Foster son and apparent heir to John Foster of Gammlyschelis, William Dewar, John Neilson, Cuthbert Hardy, John of Cunyngham and Sir John Manderston notary. (*M.*)

Paper.

555. 8th April 1539. Confirmation by King James V. of two Charters of Donation by Mr. Robert Walderstoun provost of the Collegiate Church of Bothanis in Lothian and rector of Petcokis. (1) To the praise of the Holy and undivided Trinity, Father, Son and Holy Spirit, the Blessed Virgin Mary the Holy Brother confessors and all the saints, for the welfare of the soul of King James V. Patrick Earl of Bothwell, Adam his son and their successors, the granter's father and mother, brothers, sisters and all his ancestors and successors, &c., in pure and perpetual alms, for the sustenance of a secular chaplain to serve at the altar of the Holy Trinity in the parish church of Hadington; of two tenements contiguous lying within the burgh of Hadington, in the street called the Hardgait, between the land of the late Mr. Robert Blacader Archbishop of Glasgow, on the middle part, and the lands of William Lowdene on the north, with one acre lying in the territory of "lie Harmanschot" on the north of the said town, between the acre of John Getgud on the west, the acre of Alexander Ogilvy on the east, which the said John then held of the granter; also another acre lying in the same territory between the acre of Archibald Cutlar on the west and the acre of Archibald Yule on the east, now held by Patrick Congiltoun &c., Dated at Hadington 8th October 1521. Witnesses, Sir Henry Lauson Dean of Hadingtoun, Sir William Borthuik rector of Quhitson, Sir John Giffert vicar of Ynnerlethan, Sir Alexander Cokburn rector of Scraling, David Ferrose and William his son burgesses; And (2) to the praise of God, the Blessed Virgin and Saint John the Evangelist, &c., for the welfare of the foresaids King James, the Earl of Bothwell and his son, John Lord Hay of Yester and his wife and their successors, Nicolas Hay late prebendary of the Collegiate church of Bothanis and all the granter's ancestors, relatives and successors for the sustentation of a secular chaplain to serve at the altar of the Holy Cross in the said Collegiate church of Bothans; of his tenement or land fore and back, under and above, lying in the burgh of Hadingtoun, in "lie Hardgait," between the land of John Masoun on the north, the land of Robert Beir on the south, the Highway on the east, and the lands of Cristiane Kelle on the west, also two acres of arable land lying near the said burgh, on the north part thereof, between the lands of "lie Harpardene" on the east and north, the lands of John Aytoun on the west, and the lands of the late John Hynd on the south; Also an annual-rent of thirty shillings furth of the tenement of land of the late John Candill now of John Bernis lying in the said

burgh, on the north part of the market cross between the land of the late William Young on the north, the King's street on the south, the land of the late Thomas Wawan on the west and the common Vennel on the east ; And an annual-rent of forty shillings furth of three acres of arable land now held of the granter by John Burn in feuferme lying on the south part of the said town in the King's meadow, between the lands of the late William Fourros on the east and west ; also one acre of arable land lying on the north part of Hadingtoun, within the liberty of the said burgh in "lie Harmanflat" between the land of the late John Getgude on the east and the High Street on the west, the lands of Peddercrag on the north and the lands of the late Adam Lauson on the south. Likewise a tenement lying in lie Nungait on the south part, between the land of Andro Kerintoun on the west, the land of John Wilsoun on the east ; And three particats of land lying in "lie Braidcroftis" between the lands of the late Henry Kerintoun on the east and the land of John Getgude on the west, with an annual-rent of eight pennies furth of the tenement of the late John Puddill, lying in the said Nungait on the north part thereof, between the land of John Mayn on the west, the land of the late James Tait on the east, also of the mansion with yard in the village of Bothanis between the land of the late Alexander Lempetlaw on the south, the land of the chaplainry of St. Edmund on the west, and the High Street on the east and north, with an acre of arable land which John Smyth now occupies, with two gersomis in the pasture of Gammilstoun and two dawerks of peats or turfs ; to which was annexed a tenement of land lying in the said Village of Bothanis on the south part thereof, between the land of the Holy Cross on the west, the Highway on the east and north and the croft of the rector of Morham on the south, and one rig of land with "ustrino" lying on the south and west of the said tenement, near the Cross which leads to the town of Gammylston with two acres of arable land lying in the territory of Gammylstoun, which lately belonged to a man named Cosour ; Likewise an acre of land lying in the liberty of the said burgh in "lie Harmanflat," between the lands of the late Archibald Douglas on the west, the lands of Peddercrag on the north, the lands of William Broun on the east, and the lands of William Robertson on the south ; Also two acres of land lying at the west end of the said burgh and within the liberty thereof, between the lands of Thomas Dikesoun on the west, the Highway on the north, the lands of the late Robert Dikysoun on the east, and myldis burn on the south ; also ane acre of land lying in Witlinstreit within the said burgh, between the lands of the late Adam Lawsoun on the west, the Highway which leads to the mill on the north, the lands of Laird Redpeth on the east and the mill lade on the south, with an acre of arable land lying in the Myllflat within the liberty of the said burgh, between the lands of Andrew Mayne on the west, the Myldis burn on the north, the lands of "lie Walkmyl" on the east, and the High way which leads to Clerkintoun on the south. At the fortalice of Yester 23rd January 1535. Witnesses, John Hay son and heir apparent of the said Lord of Yester, George Broun of Cummer Colistoun, Master Thomas Hay prebendary of Bothanis, Sir John Giffert of Innerlethen vicar, John Manderstoun notary public, John Henrisone and John Frisal chaplains. Confirmation dated at Stirling 8th April 1539. Witnesses, Gavin Archbishop of Glasgow, chancellor, Henry Bishop of Whithorn and of the chapel Royal of Stirling, James Earl of Arran, Archibald Earl of Argyle, Malcolm Lord Flemyng, Great chamberlain, Thomas Erskine of Brechin Knight, Secretary, James Kirkcaldy of Grange, Thesaurer Mr. James Foulis of Colintoun clerk of the Register and Council and Thomas Bellenden of Auchnolinchill (Auchnoul) Director of Chancery. (*M.*)

The Great Seal is appended and is complete. (*Reg. Mag. Sig.* xxvi. 265.)

556. 16th December 1539. Extract Decreet, Edinburgh, 16th December 1539, by the Lords of Council Anent the summons at the instance of John Lord Hay of Zester against George Hay. Continuing the cause till 26th January next. Extracted and signed by Foulis.

Endorsement xxvj January anno etc. v^c xxxix^o Comperit Johnne Lord Hay

of Zestir and constitut M. Johnne Hay, M. James Carnmur, Johnne Hay master of Zestir his procuratouris for the actioun within writtin and In all utheris his actiounes Et promisit de Rato. J. Gude. (*H.*)

557. 19th January 1539/40. Contemporary Copy of Letters under the Signet charging the Sheriffs to summon John Lord Hay of Zestir to compear before the Lords of Council on 13th February next at the instance of John Greirsoun of the Lage allegit plege and sourete for Williame Amilligane ; and produce a decreet dated 17 June 1539 (No. 552) ; and hear it declaired of no avail Because it had been given in the absence of said William Amilligane and John, never lawfully summoned : and the said John is not liable in terms of the Act of Adjournal of Justice ; and they ought not to be pursued for 5 years profits of the lands, because the said William Amilligane and —— Amilligane had a 3 years tak of the said lands from —— Vilsone, who had them in assedation from Lord Hay : Edinburgh 19th January a.r. 27 (1539). (*H.*)

558. 19th January 1539/40. Another contemporary Copy of these Letters under the Signet. (*H.*)

559. 31st January 1539/40. Extract Decreet by the Lords of Council assolzeing George Hay from the petition of John Lord Hay of Zester (see No. 556) : Edinburgh, last day of January 1539. (*H.*)

Extracted and signed by Foulis the clerk.

560. 17th February 1539/40. Notarial Copy of a Certificate by Adam Forman, Macer, by virtue of Letters under the Signet that he passed on the 22nd January 1539 to the 5 mark lands of Terrarane pertaining to John Greirsoun of Lag, and decerned them to be apprised for the sum of £40 due to John Lord Hay of Zester by Greirsoun as surety for William Amiligane and set a Court to apprise them in the Tolbooth of Dumfries on 17 February next ; On the said day he fencit a court, when Greirsoun compeared personally and Lord Hay by his procurator Roger Cunyngham, chose an Inquest of the underwritten persons, lawfully summoned before by his officer John Andersoune serjeant of the sheriffdom of Dumfries, namely Roger McBrair alderman of Dumfries, Thomas Wilsoun of Croglin, John Kirkhauch of Bogre, Adam Kirkhauch of Gleneskly, Andrew Kirkhauch of Soudanwell, Alexander Fergusoun brother of Thomas Fergusoun of Cragdarrauch, Laurence Fergusoun, Cuthbert Greirsoun in Lagdow, John Makcune in Auchinchene, Rob Fergusoun, John Greirsoun in Dalmaturan, Gilbert Wilsoun, Peter Greirsoun, Andrew Wilsoun, John Greirsoun in Under the Wod, Mongo Maxwell, John Maxwell burgess in Dumfries, David Cunnynghame burgess of the samyn, Elis Cunynghame burgess there, Andrew Roresoun of Kirkcudbrycht in Glencarne and Peter Dunbar of Crechan who apprised 2 marks worth of the said lands of Terrarane lyand ryndale throw the samyn for the sum of 300 marks and 15 marks of fee ; and thereafter the said Adam Forman offered them for sale and receiving no offer, assigned them to the said Lord Hay. (*H.*)

Copy by John Moscrop, N.P., from the original, which remained in the custody of the Keeper of the Signet.

561. 1st April 1540. Instrument of Redemption by William Cockburn of Newhall, who passed to the Mansion of the lands of Beill belonging to Robert Lauder of Bas, and there warned the said Robert as superior of the lands underwritten to compear in the Collegiate Kirk of St. Giles of Edinburgh, on 14th May next, and there upon the altar of the apostle James situated therein, to receive the sum of 100 merks, for redemption of the lands of Wodfutt, lying in the Constabulary of Haddingtoun and shire of Edinburgh. Done at the Place

of Beill 1st April 1540. Witnesses, Alexander Craik, Robert Thomsoun, Robert Robesoun, Adam Newtoun, Malcolm Halyday and Alexander Chene. Mr. Andrew Lesley, clerk of the diocese of Aberdeen, is notary. (*M.*)

562. 10th May 1540. Charter by William Cunynghame, Knight, Lord of the fee of the barony of Glencarne, with the consent of his father, Cuthbert Earl of Glencarne, lord of the free tenement of the said barony, of two marks worth of the 5 markland of Terrarane of old extent in the said barony, which pertained to John Greirsoune of Lag and were distrained, etc. as above, to John Lord Hay of Zester : Edinburgh 10 May 1540. Witnesses, John Bog, Adam Forman, macer, Alexander Spens and John Hay. Signed "Wilza Mast. of Glencarn," "Erl of Glencarn." (*H.*)

Seals of the Earl and the Master of Glencairn appended in good condition.

563. 10th May 1540. Precept of Sasine following on the foregoing direct to John Cuninghame of Craignethane, John Cuninghame of Birkschaw, and Andrew Makgowne. Edinburgh 10 May 1540; same witnesses as above. Signed and sealed as before. (*H.*)

563A. 11th May 1540. Item ane dispensatioune of the Archbishop of Glasgow to James Tueedie of ffruide to Marrie. Dait 11th Maij 1540. *No.* 40, 1632 *Drumelzier and Frude Inventory, Appendix.* (*H.*)

564. 13th May 1540. Instrument of Sasine following on No. 562, given to John Cuninghame, as attorney for John Lord Hay of Zester, by Andrew Makgowne ; and also following upon and narrating a Letter under the Quarter Seal, dated Edinburgh 5 April 1540, appointing John Cuninghame or Andrew M'Gowne to act as attorney for Lord Hay in this matter. Done 2 p.m. 13 May 1540. Witnesses, John Moffet, Gilecrist Makgowne, John Taggart, senior, Donald Halyday, Matthew Fergusoun, James Barbour and John Brangene, Cuthbert Crage, priest S. And. Dio., N.P. A.a. (*H.*)

565. 13th May 1540. Duplicate of the foregoing, but omitting the Letter of Attorney. (*H.*)

566. 7th June 1540. I, Adam forman masser grantis me weile content and payit of twenty pundis gud and usuale money of Scotland be ane noble and mychty Lord Johne, Lord Hay of Zester for the apprising of ane part of the landis of terrarane liand in the lordschip of Glencarne and shirefdome of Drumfress efter the tenor of our souerane lordis lettres that Is to say tene pundis for my lawboris and uther tene pundis money forsaid for my shiref fee/ of the quhilk soume of twenty pundis I hald me wele content and payit and quitclemis and dischargis the said lord his ayris executouris and assignes for me my ayris executouris and assignais of the said soume for now and ever In witness of the quhilk thing I have subscrivit this acquitance witht my hand at Edinburgh the vij day of Junij in the yere of God Jaj v^c and fourty zeiris befor thir witnesis Edward of Craufurd burges of Edinburgh Alexander Hay and schir Johne Manderstoune notar witht utheris divers. (Signed) Adam forma(n) wt my hand led at ye pen. (*H.*)

Paper.

567. 19th June 1540. Notarial Copy of Dispensation by David Cristison, [illegible]on or prebendary of the Collegiate Church of the Virgin Mary of Linclowden [illegible] the diocese of Glasgow, as having commission from Antonius Presbyter

Cardinal of the four Crowns, directed to John Thornton, canon of Glasgow, granting power to the said David to dispense with the illegitimacy of fifteen scholars or clerks with a view to their admission to benefices; in favour of George Gladstanis, scholar of the diocese of Glasgow. The Commission is dated at St. Peter's, Rome, 4th February in the 4th year of the Pontificate of Pope Paul III. Dispensation dated at Edinburgh in the diocese of St. Andrews 19th June 1540 in the sixth year of the said Pontificate. Witnesses, John Bannatyne, James Bannatyn and John Efflec. Robert Make is notary. (*M.*)

The seal of the said David Cristison is appended in good condition.

568. 22nd July 1540. Procuratory by John Lord Hay of Yester constituting Master James Carmure his procurator, to appear before James Johnstoun, Macer, Sheriff of Edinburgh, and to present the commission impetrat by the said Lord against Agnes Stewart Countess of Bothuill, now spouse to Robert Lord Maxwell, for "riving out teling and sawing of ane part of my mure of my landis and barony of Lochortot," in the said Sheriffdom, in this year 1540, and to require the said Sheriff to put the said commission to execution. At Edinburgh 22nd July 1540. Witnesses, John Hay, John Greinschelis and Sir John Manderstoun. (*M.*)

Paper.

569. 29th July 1540. Instrument of Resignation by Sir William Lowrye and William Dobsoun, chaplains of the choir and prebendaries of the Collegiate Church of St. Cuthbert of Bothanis, in the diocese of St. Andrews, in name of the provost and the other prebendaries of the said church, of an acre of arable land lying within the liberty of the burgh of Haddington in "lye Harmonschott" thereof, between the lands of William Thomesoun on the east, the lands of the Laird of Rauburnum on the west, the lands of Pettercrag on the north and the High Street on the south, in the hands of Nycholas Suyntoun, one of the bailies of the said burgh: and two acres of land lying in "lye Medoakeris" of the said burgh, between the lands of Philip Gipsoun on the east, the lands of Thomas Dykysoun on the west, one "lye Stank" on the south and the High Street on the north, in the hands of the bailie foresaid, in favour of Alexander Broune burgess of Hadingtoun and Margaret Gipsoun his spouse, and the survivor of them in conjunct infeftment, and the heirs lawfully procreate or to be procreated between them, which failing to the heirs of the said Alexander whatsoever; as also another acre of arable land lying in "lye Dokkenflat" of the said burgh, between the lands of the late John Ridpeth on the east, the lands of the late Adam Lauson on the west, the mill lade on the south and the High Street leading to the west mill of the said burgh on the north. Instrument dated 29th July 1540. Witnesses, Thomas Dykysoun, bailie of the said burgh, John Dowglace, baker, John Hanschaw, burgesses of the said burgh, Sirs John Fresall, Adam Brown chaplains, Sir Johne Littill chaplain, Alexander Symsoun younger, notary public, and William Masoun sergeand. Alexander Symson is notary. (*M.*)

Seal of bailie gone.

570. 18th October 1540. Letters of Inspection by way of Instrument by Gilbert Benyng and Richard Bothuel, prebendaries of Air and Erskirk respectively and canons of Glasgow, Judges and commissaries in this matter by virtue of Letters Apostolic addressed to them by Antony Cardinal priest of the Four Crowned Saints, dated S. Peter's Rome 10 Kal. April Pont. Paul III. an, 5 (1539), to inspect and confirm a charter to Thomas Alexander by the Vicar of Stobo (see No. 537), which is narrated along with the Instrument of Sasine following (see No. 539), which three documents were presented to them by the said Thomas Alexander; after citation on 20 September 1540 of parties interested to appear in the Metropolitan Kirk of Glasgow 10 October 1540, in the hour of causes, viz. 11 a.m. Confirming and Ratifying said Charter in all points. Done

on the 18 October 1540 in the said Kirk. Witnesses, Malcolm Reche, priest and N.P., Robert Machan and Robert Reche ; David Gibsone, A.M. priest of Glasgow dio., N.P. A.a. (*H.*)

Seal of R. B. appended in fair condition but broken, and that of G. B. in poor condition.

571. 6th November 1540. Charter by William Hay of Tallow in favour of Nicolas Hay his son, and the heirs male to be procreated of his body, which failing reverting to the granter and his heirs, of his lands of Apiltresyde, lying in the barony of Lyne and Sheriffdom of Peblis. Holding of the granter and his heirs in fee and heritage for ever, for service of ward and relief. Providing it shall not be lawful for the said Nicolas and his heirs to sell all or any part of said lands without the consent of the granter and his heirs. At Edinburgh 6th November 1540. Witnesses, Master Thomas Hay, Dean of Dunbar, Master Robert Galbraith rector of Spot, Sir Ninian Spottiswod rector of Glenquhum, Thomas Spottiswod, John Mosman and Alexander Young notaries public. Reserving the free tenement of the said lands to the granter and a reasonable terce to his spouse. (*M.*)

Seal of granter in good condition.

572. 16th Dec. 1540. Instrument of Sasine proceeding upon a Resignation by Sir John Fowrrois, chaplain and Master in Arts, in the hands of Thomas Dykysoun, one of the bailies of the burgh of Hadingtoun, in favour of Bartholomew Manderstoun burgess of Dunbar, and Marion Learmonth his spouse, and the survivor of them in conjunct infeftment, and the heirs lawfully procreated or to be procreated between them, which failing to the heirs of the said Bartholomew whatsoever ; of an acre of land containing seven rigs of arable land, lying in the liberty of the burgh of Hadingtoun on the north part "lye grip" or "heuch heid" thereof, between the lands of the late John Houme on the east, the lands of Thomas Thomesoun on the west, the lands of Barnis heritably pertaining to the Lord of Seytoun on the north, and the High way on the south ; also two rigs of arable land, lying in the liberty of the said burgh, on the north part thereof, between the lands of John Fowrrois on the south, commonly called Teutorcroft, the lands of John Aytoun on the west and north, and the Highway from the said burgh leading northwards on the east. Instrument dated 16th December 1540. Witnesses, James Skeill, Thomas Waus, burgess of the said burgh, Thomas Romannaus, Gilbert Robisoun serjeand, Mr. Alexander Fowrrois, Sirs Thomas Quhit, John Manderstoun and Thomas Achisoun chaplains, notaries public. Alexander Symson, clerk of the diocese of St. Andrews is notary. (*M.*)

The seal of Thomas Dykysoun is appended in good condition.

573. —— 154–. Letter of Reversion by John Hay in Quhitlaw and Mane Hepburne his spouse, to John Lord Hay of Zester, whereby the granters bind themselves to renounce to the said Lord Hay six merks of annual-rent of his lands of Barro, now occupied by them, lying within the Sheriffdom of Lowtheane, Constabulary of Hadingtoun and barony of Duncanlaw, on his payment to them or their heirs in the College Kirk of Bothans on St. Edmont altar situated within the same, the sum of sixty pounds scots. At —— the —— day of —— 154–. Witnesses, —— ——. (*M.*)

The seals of the granter and his wife are appended.

574. 16th February 1540/1. Instrument on the Resignation by William Hay of Tallo to John Lord Hay of Zester, his superior, of a third part of his lands of Tallo, in the barony of Olivercastle and shire of Peebles, and his 10 merkland of Vgstoun, in the shire of Edinburgh and constabulary of Haddington, in favour of the resigner's son and heir apparent John Hay and his spouse

Joneta Hepburn and their heirs male, whom failing the heirs male of John, whom failing those of William, whom failing those of Lord Hay. Done at the instance of said John and Patrick Hepburn Master of Halys, father of the said Joneta; Town of Zester 4 p.m. 16 February 1540. Witnesses, John Hay of Hoprew Master of Zester, John (?) Hay his brother german, John Neilsoun, William Craufurd, Rob Portuus, John Greneschelis, William Cunyngham, William Symontoun and John Crak, Alex Symsoun, clerk S. And. dio., N.P. A a. (See *M.S. Protocol Book*, *Haddington*, Vol. 1539-1542, folio 90B.) (*H.*)

575. 25th February 1540/1. Instrument of Sasine given by William Hay of Tallo to Patrick Bank, attorney for Andrew Hay, son of the said William Hay, of one quarter of the lands of Cragkingildouris in the parish of Drummelzear and shire of Peebles, reserving free hold to said William Hay for life, and terce to Joneta Spottiswod his spouse: Done at Cragkingildouris in the house of the said Peter Bank, 8 a.m. 25 February 1540. Witnesses, William Symontoun, Thomas Spottiswod, George Cokburne, William Thomsoun, Thomas Hendirsone and Symon Trenche, Andrew Kirkwood, priest Glasgow dio., N.P. A.a. (*H.*)

576. 1st May 1541. Procuratory by Agnes Fergussoune, with consent of her spouse John Kynzane, to David Broune in Halpenneland and Petyr Broune in Durisdeir to resign her 20s. lands of Brakansyde in the barony of Snade and shire of Dumfries to her superior, John Lord Hay of Zester, for sasine to be given thereof to her kinsman, Robert Fergussoune and (his spouse) Euffame Kynzane, daughter of the granter's husband, reserving the free tenement for life to herself and her husband: Thornehill, 1st May 1541. Witnesses, John Makclellane in Thornhill, Robert Blythtman, William Gresoune there, and Sir William Amuligine, chaplain. Signed by A. F., her hand led by Harbert Andersone, clerk and N.P., and by "Jhonne Kynzane wt my awine hand." (*H.*)

Two seals appended, both illegible.

577. 20th June 1541. Letter under the Signet charging John Dalzell, William Fairlie, and George Hay, Sheriffs *in hac parte* to summon James Earl of Arran, and Robert Russell in Sterreschaw, William Hucheoun, John Mekill, Alexander Reid there, John Fairlie in For(t?)casset, James Russell in the Forest of Bothuile, and William Russell, his tenants, to compear before the Council on the 17th July to answer at the instance of John Lord Hay of Zester for the destruction of a dyke containing 800 roods upon the 10th June last, biggit by the said Lord and his tenants on his lands of Stane lying on the south side of the Watter of Cawdor in the territory of Adcathmure and shire of Lanark after that the said Lord and his tenants had rebuilt it upoun the destruction of 6 roods of the said dyke by the said persons on the 19th May last, damage estimated at 6d. ilk rude; Attour to summon Thomas Cristyn in the Schawis, Richart Clide in Gudirchehall, James Woddell in the Fallas, John Tenisoun in Ripiehill, John Calderheid in Mosplat, Rob Robesoun in the Law, James Robisoun in Quhitburne, James Scott in Vatstoun, Thomas Barrye there, Stein Forrest in Latok, John Robesoun in Muwren, John Inglis in Hartwod, Alexander Gilkesoun in Halhouse, John Tomisoun in Bokstane, Adam Reid in Blairmukkis, John Meik, Patrick Meik, John Wryght, John Weddell, Alexander Mauchwan ygr. David Thomisoun, James Tourner elder, as witnesses; Edinburgh, 20 June 1542. Signed Henrysone.

Endorsement bears that on 23rd June 1541 John Dawzell summoned the Earl of Arran and all his said tenants, except Rob. Russell, who was summoned at his dwelling place, the Wolflaw. Witnesses, John Calderheid and John Crytin. 25th June, William Fairlie summoned the witnesses, witnesses John Robesoun and James Calder; 16th July, George Hay summoned remaining two witnesses, Alexander Mauchwan ygr, burgess of Edr., and John Weddell. (*H.*)

Signets impressed and document marked "Tabulat."

578. 27th July 1541. Letters under the Signet charging Duncane Kid, George Hay, and Ninian Dalzell, sheriffs *in hac parte*, to summon John Greirson of Lag as before: The damage done in Gilmerston is specified, viz.: profits of said lands for 5 years preceding 1533, namely of 44 bolls of aitis sawing of the grete mesur of niddisdale zeirlie be the said space estimat to the thrid corne price of the boll witht the fodder zeirlie ourheid 26 sh.; 4 bolls of beir sown at 32s.; 24 milk ky ilk ky in milk, stirkis, buttir, and cheis zeirlie to 14 sh.; 6 score milk zowis, ilk pece yeirlie in woll, lamb, milk, butir and cheis to 5 sh.; 12 score zeild scheip in wool at 2 sh. each; 12 horses ilk pece zeirlie in werk, riding, hiregang and laubour to £4; of 12 mares in werk, fole, ridand, hiregang and laubour to 4 merks each; the gers and pastur of 48 soumes of uthir zeild catell zeirlie, ilk soume 3 sh.; 100 cartful of hay at 2 sh. each. In the list of tenants' names Robert and Elizabeth M'Clanrath appear instead of M'Clangberoun; Edinburgh, 27 July 1541. Signed J. Chepman.

Endorsement bears that on 20 August 1541 Duncan Kid summoned Greirson at his dwelling called the Lag and, not finding him, affixed a copy to the yett. Witnesses, Alexander Cottis, John Moffet and Andro M'Gowyn. "Tabulat." (*H.*)

579. 27th July 1541. An undated scroll, much corrected, evidently the rough draft of the preceding, and probably prepared by Lord Hay's agent. In the list of tenants Robert and Elizabeth appear in this document as M'Langbetoun. (*H.*)

580. 23rd August 1541. Instrument of Sasine by Peter Browyn in Durisdeyr, baillie for John Lord Hay of Zester, following upon and narrating a Precept of Sasine, dated Neidpeith 9 July 1541; witnesses, John Hay of Hopprew, John Hay in Barro, Sir Rob. Hopprin, chaplain, and Mr. John Hay, N.P., by the said Lord Hay to Broun in favour of Agnes Ferguson and her spouse John Akynzame and Robert Ferguson and Eufamia Akynzame his spouse of the lands of Brocansyde in terms of No. 562. Done at Brocansyde 1 p.m 23 August 1541. Witnesses, Rob. Fergussoun in Thornhill, David Brown in Happenneland and George Akynzame; David Fergusoune, priest Glasgow dio., N.P.A. and I.a. (*H.*)

581. 31st January 1541/2. Letters under the Signet, at the instance of John Lord Hay of Zester and his tenants, as in No. 529 except Elizabeth M'Clanrath, to John Lyndesay and Duncane Kide to summon Andro M'Cleg, John M'Clyg, Paulus M'Qhur, Rob. Hinde, Pat Cunyngham, Petrus M'Quhen, John M'Murdye, John ~~tagart~~ (*sic*), John Makmillane, John Fargusoun *alias* Knowis, John Maxwell and Alexander Stewart to compear before the Lords of Council as witnesses in the cause against Greirson of Lag on the 20th February next. Edinburgh last day of January a.r 29. Signet impressed and signed J. Gude.

Endorsed 9 February 1541. Duncan Kide summoned first 8 witnesses; witnesses Alexander Cottis, John Moffett, Andro M'Gowne; on 12 February he summoned the remaining four, witnesses as before; and on 1st March John Greirson of Lag. Witnesses, Rob. Arkyne, George Hay and Rob. Portuus. Signet impressed paper on wax. (*H.*)

582. 3rd March 1541/2. Extract Decreet of the Lords of Council, Edinburgh, 3rd March 1541, continuing cause between Lord Hay and Earl of Arran, to 5th May next for proof, Lord Hay being personally present and the defenders by their procurator, Mr. Thomas Merioribankis, who declared no wrong had been done because the lands pertained to Arran. Signed "Jacobus Foulis." (*H.*)

583. 3rd March 1541/2. A duplicate of the foregoing. (*H.*)

584. 8th March 1541/2. Letters under the Signet charging Thomas Rowmannos, sheriff *in hac parte*, to summon the Subprior and Convent of Abirbrothok to compear before the Lords of Council on 16 March next, produce ane boundand charter of the lands of Stane, and give John Lord Hay of Zester an authentic copy thereof as evidence in his action against the Earl of Arran; Edinburgh, 8 March 1541. Signed "J. Gude."

Endorsement bears that on 11th March 1541/2 Thomas Rowmannos summoned Dene John Bad, Subprior, and the Convent of Abirbrothok; witnesses, James Pykkyman, Thomas Crwyiefurd, Mr. John Bellenden, serjeant, and Sir John Manderstoun. (*H.*)

585. 9th March 1541/2. Extract Decreet of the Lords of Council in the cause by John Lord Hay of Zester and his tenants (see No. 529) against John Greirson of Lag, the said Lord and Greirson compearing personally and the tenants by their procurator, Mr. James Carmure, Greirson having handed in an exception (see No. 586) and Lord Hay a declaration upon oath (see No. 587). Continuing the cause till 15 May for Lord Hay to answer to said declaration. Edinburgh, 9 March 1541: Extracted and signed by Mr. James Foulis. (*H.*)

586. 9th March 1541/2. Copy of Exception by John Greirson of Lag, produced before the Lords on 9 March 1541/2, see foregoing, objecting first that the space of years for which damage is claimed is wrong; that Lord Hay has no action to pursue for the profits of the years 1531 and 1532 because William Greir was then tenant of Gilmerstoun and he had granted him assythit and payit of all damage; and for the preceding 3 years has no action because Thomas Vilsoune of Carroucht had these lands during that space. (*H.*)

Not signed nor dated.

587. 9th March 1541/2. Declaration of the Oath of John Lord Hay of Zester upon an exception produced by John Greirson of Lag (see No. 586), affirming first, that William Amyligane held the lands of Gilmerstoun waste for 5 years; secondly, that William Greir and Thomas Wilsoun were not his tenants during that time; and thirdly, that the profits of Gilmerstoun if Lord Hay had had the lands himself should amount to £100, but nevertheless he claims for £40 per annum only, making a total of £200. (*H.*)

Not dated nor signed.

588. 9th March 1541/2. Scroll of the foregoing Declaration. Endorsed, This Is the sawine that Gylmerstoune will beire In the yeir 18 bollis of aittis sawyne of the gret mesoure of neytht the price of the boll witht the fodder 15 sh. Summa of sylver in the zeir estimat to the ferd cowrne Is £52; ½ boll of beir 8s. 4d.; 14 melk kine £9 : 16s.; 50 milk zowis £12 : 10s., 20 zaeld scheip 40s.; 20 hoggis 40s.; 3 hors and meryis £12; 6 sowme of yeald nolt 18s.; Three score cartis of hay £6; Total £99 : 18 : 4. (*Compare with No.* 578.) (*H.*)

589. 29th March 1542. Precept by John Lord Hay of Zestir directed to John Lindsay and John Cunynghame, bailies, for sasine to be given to Christopher Hume of a half carucate of land, which belonged to Alexander Coci, lying in the territory of Baro, sheriffdom of Edinburgh and Constabulary of Hadingtoun; and another half carucate of land containing 2½ acres, by those divisions by which Adam Lumbard held the same; lying as above. At Edinburgh 29th March 1542. Witnesses, John Hay, son to the said Lord Hay, Sir John Lyndesay and George Hay. (*M.*)

The seal of the granter is appended but is somewhat defaced.

590. 26th April 1542. Charter by John, Prior of the Monastery of Pettynedem (Pittenweem) and Maij, and convent place of the same of the order of St. Augustine, in the diocese of St. Andrews ; for the utility of the said Monastery, in augmentation of their rental and for certain sums of money paid to them by Mr. Robert Galbraith, rector of Spot ; in favour of Christopher Hwme, his heirs and assignees, of the lands called Mayland, lying in the territory of Baro, Constabulary of Hadingtoun and Sheriffdom of Edinburgh ; Holding of the granter in feu ferm and heritage for ever ; Paying yearly eight shillings in name of feuferm with two shillings in augmentation of the rental and doubling the said feuferm duty at the entry of each heir ; At the said Monastery 26th April 1542. Witnesses, Robert Galbraith, rector of Spot, Thomas Kuychtsoun, and Mr. John Melwill, notary public. The signatures of certain brothers of the Monastery are subscribed, viz. :—Sir Patrick Forman, Sir James Murray, Sir Alan Galt, Sir Thomas Wrycht, Sir Patrick Andersoun, Sir Henry Congyltoun, Sir Bartholomew Forman, Sir Robert Wrycht, Sir George Nisbit. Registered at Edinburgh 21st September 1595. (*M.*)

591. 4th May 1542. Precept of Sasine following on the foregoing charter directed to Thomas Scot of Pitghorno and James Sinclair ; Monastery of Pettinweme 4 May 1542. Signed Johannis prior de Pettenwem, dominus bartholomeus Forman, dns. paulus andersone, Dns. henricus congyltoun, dns. patricius forman, D. Thomas Wrycht, Dns. Jacobus Murray, Dns. Alanus Galt, Dns. robertus wrycht, dns. Georgius nesbit. (*H.*)

Parchment badly torn and decayed.

592. 6th May 1542. Extract Decreet, Edinburgh 6 May 1542, continuing action between Lord Hay and Arran, to 15 June next and ordaining witnesses summoned before who did not appear, namely Alexander Skene, Pat. Brown, William Weddale, William Inglis, John Inglis, William Mychell, William Frenche, William Davidsoun, James Scot and Thomas Quhitlaw, to be summoned again under gretar panys. Signed by Foulis. (*H.*)

593. 25th May 1542. Extract Decreet, Edinburgh 25 May 1542, by the Lords of Council underwritten, Gavin Archbishop of Glasgow, Chancellor, Rob. Bishop of Orkney, William Bishop of Liberia, Alexander Abbot of Cambuskynneth, president, Walter Lord of Sanct Johnis, Mr. Rob. Galbraith, parson of Spott, Mr. John Lethame, parson of Kirkcrist, Mr. William Lamb, parson of Conveth, Mr. John Sinclar, parson of Snaw, Mr. James Foulis of Colintoun, clerk of Register, John Campbell of Lundy, knight, Mr. Thomas Bellenden of Auchnoule, Justice clerk, Mr. Henry Balnavis of Halhill, Mr. Henry Lauder, advocate to the King, and Mr. John Gledstanys, Licentiate in the Lawis, in the action between John Lord Hay of Yester and James Earl of Arran, registering transumpts of the clause of King William's charter confirming the Gift to Arbroath by Thomas Thankart of all his land between Auchtar and Caledouer (see *Reg. Vet. de Abirbrothoc*, No. 99) and King Alexander's charter (see No. 10), all persons having interest having been summoned by an edict fixed against the Tolbooth door from 1st March to 24th May instant, and none compearing to object. Extract by James Foulis. (*H.*)

594. 25th May 1542. Extract Decreet by the Lords of Council, Edinburgh 25 May 1542, in the cause by John Lord Hay of Zester, who compeared personally, and his tenants (as in No. 529) compearing by Mr. James Carmure, against John Greirson of Lag, who compeared by his procurator, Mr. Hew Rig, concerning the said John Greirson of Lag liable to pay to Lord Hay the profits of Gilmerstoun for 5 years. Extracted and signed by Mr. James Foulis. (*H.*)

595. 25th May 1542. Scroll of the Answer to the pretendit exceptioun producit befor zour L. be Johne Gresoun of Lag maid aganes me Lord Zester objecting to its relevancy. (*H.*)

Not dated nor signed.

596. 15th June 1542. Decreet by way of Instrument by William Bishop of Libaria, suffragan of David Cardinal of S. Stephan in Celio Monte Archbishop of S. Andrews, and Dean of College Kirk of B.V.M. of Lestalrig; and John Lauder archdeacon of Tevidale, Judges and Commissaries delegated, along with the Archdeacon of Sodor, in Apostolic Letters, dated 13 Kal. June Pont. Pope Paul III. anno 6 (1540), by Antony Cardinal of the Four Crowned Saints following on a petition from John Roule Prior of Pittenweem for permission to alienate £80 worth of lands of said Monastery not exceeding £16 sterling to one person; Confirming and narrating a Charter by the said John Prior of the Montasery of Pettynweme and Maii and the Convent thereof to Christopher Hume and his heirs of the lands of Mayland (see No. 590) which he had already held for 19 years; Paying the old rent of 8 sh. with 2 sh. of augmentation in name of feefirm; Dated at the said Monastery 26 April 1542; witnesses, Mr. Rob. Galbraith, rector of Spott, Thomas Knythtsoun and Mr. John Melvill, N.P.; and signed by Jo. prior de Pettynweme, dns. Patricius Forman, dns. Jacobus Murray, dns. Alanus Galt, dns. Thomas Wrytht, dns. Patricius Andresone, dns. Henricus Congiltone, dns. Bartholomeus Forman, dns. Robertus Wrytht, dns. Georgius Nesbit; which said charter was produced in court held by said Judges, John Merschell procurator for the Prior and Convent of Pettynweme compearing and assenting to its confirmation, Katherine Lyell also compearing to assert that she had these lands in assedation but producing no proof; Done in the Kirk of S. Giles of Edinburgh in the "*sacellum*" of S. Antony the Confessor 15 June 1542: Witnesses, Masters and Sirs Rob. Galbraith, Rector of Spott, William Meldrum, vicar of Petercultir, John Bonkill, vicar of Sandrik, James Greg, William Archibald and Thomas Gothrasoun, chaplains; Thomas Knox, clerk of City of Glasgow N.P. A.a. (*H.*)

Seal of Bishop of Libaria appended, slightly defaced.

597. 23rd June 1542. Extract Decreet, Edinburgh 23 June 1542, by the following Lords of Council, Gawine Archbishop of Glasgow, Chancellor, Alexander Abbot of Cambuskynneth, president, Walter Lord Sanct Johnnis, Mr. Richard Bothuile Persoun of Askirk, Mr. Rob. Galbraith Persoun of Spott, Mr. John Lethame persoun of Kirk*cast*(christ?), Mr. William Lamb persoun of Conveth, Mr. John Sinclair persoun of Snaw, Mr. John Weddale persoun of Flisk, Mr. James Foulis of Colintoun clerk of Register, Schir John Campbell of Lundy knt., Mr. Henry Balnavis of Halhill, Mr. Henry Lauder King's Advocate, and Mr. John Gledstanis licentiate in the Laws, Decerning that James Earl of Arran and his tenants who compeared by Mr. Thomas Merioribankis their procurator, hes done wrang in the destruction of the dyke biggit by John Lord Hay of Zester (personally present) and his tenants upon the lands of Stane, damage valued at 3 marks. Signed by Foulis. (*H.*)

598. 12th Aug. 1542. Letter of Reversion by Master Thomas Hay, provest of the Bothanis brother german to Lord Yester, in favour of John Lord Hay of Yester, his said brother, whereby the granter binds himself to resign to the said Lord Hay, that husband land occupied by Mungo Nicolsoun, lying in the west end of the town and barony of Yester, Sheriffdom of Edinburgh and Constabulary of Hadingtoun, on payment of the sum of fifty pounds scots, with a letter of tack of the said husband land for five years; At the Bothanis 12th August 1542. Witnesses, John Hay son and apparent heir to John Lord Hay of Yester, John(?) Hay his brother, James Tait, John Neilsoun, Sir John Hendersoun, chaplains, and Sir John Manderstoun, notary public. (*M.*)

The seal of the granter is appended in good condition.

598A. 12th August 1542. Ane Instrument of resignatioune maid be Williame Hay of Tala In the handis of Johne Lord hay of Zester of the twa pairt of the landis of Wynden and quarter of the landis of Linplum In favouris of Wame. hay and Jonet Spotiswoode his spous under the subscriptioune of Johne Manderstoune preist, 12 August 1542. *No.* 35, 1617 *Linplum Inventory.* (*H.*)

599. 24th Sept. 1542. Instrument narrating that John Lord Hay of Yester had warned Robert Lawder of Bas to compear in the Collegiate Kirk of St. Giles in Edinburgh on the 10th day of November next and there upon the altar of St. James the apostle situated within the said Kirk, to have received the sum of four score pounds scots money for redemption of the lands of Kylpallat, lying in the barony of Beltoun shire of Edinburgh and Constabulary of Hadingtoun, with letter of Assedation of the same for the space of six years after said redemption. Dated 24th September 1542. Witnesses, John Lyndsay, John Neilsoun, Thomas Nesbet and Thomas Vait. (*M.*)

Paper.

600. 9th October 1542. Instrument narrating that John Wilzemsone one of the patrons, in name of Robert Hoppringill and Edward Patersone other two of the patrons of the Altar of St. Martin situated within the Parish Church of Peblis, for their wives, viz. Cristine Balcaske and Cristine Wilzemsone, compeared in the said church and delivered to Sir John Bullo Chaplain, missal, chalice, vestments and other ornaments of the said altar with the chest and key thereof; in token of the real and effectual gift of the said chaplanry of St. Martin then vacant by the decease of Sir Gilbert Wilzemsone last chaplain and possessor thereof. Done at the said church 9th October 1542. Witnesses, Sirs John Dykesoune, Robert Brewhous chaplains and notaries public, Sir John Lausone chaplain, John Wilsone and James Hay,—Edward Paterson is notary. (*M.*)

601. 25th Oct. 1542. Letter of Reversion by Master Thomas Hay provost of the Bothanis in favour of William Cokburn of the Newhall promising to resign the lands called the Woidfut, lying within the Lordship of Newhall, Sheriffdom of Edinburgh and Constabulary of Hadington on payment of 100 pounds scots, upon the high altar in the College Kirk of Bothanis. At the Bothanis 25th October 1542. Witnesses, Henry Wycht, Alexander Lempetlaw, Schirs Hew Bald, William Dobsoun, James Reclintoun, Andro Hay, John Manderstoun, chaplains and prebendaries of the Bothanis, and Master Robert Hay notary public. (*M.*)

The seal of the granter is appended in good condition.

602. 12th Dec. 1542. Charter by Master Robert Walterstoun provost and usufructuar of the Collegiate Church of Bothanis, in the diocese of St. Andrews, with consent of Mr. Thomas Hay his future successor of the said Provostry, and John Lord Hay of Zester patron thereof; in favour of Mr. Mark Lambe now chaplain of the chaplainry, which was first had by Mr. Patrick Anderson, lately founded by Mr. Thomas Hay, Professor of Theology and apostolic protonotary, Dean of the church and college of Dunbar, and his successors, celebrating divine service at the altar of St. Edmund King and Martyr situated within the Collegiate Kirk of Bothanis; of a piece of Glebe land of the said Provostry, lying in the town of Bothanis, bounded by the manse and yard of the chaplain of the chaplainry of St. Ninian situated in the said Kirk on the e[illegible] the manse and yard now occupied by Alexander Gordoun on the west, the c[illegible]mon way on the south and the Water of Bothanis on the north, for their

manse and yard to be built thereon ; At Edinburgh 12th December 1542. Witnesses, Gilbert Wauchope Laird of Nwdry Merschell, William Wauchope his son and heir apparent, John Cokburne and Mr. Andrew Hay. (*M.*)

The seals of the granter, Mr. Thomas Hay, and Lord Hay of Yester are appended ; the latter only is complete, the others are damaged.

603. 29th Janry. 1542/3. Supplication to the Lords of Council by John Lord Hay of Zester to give sentence in action over the Sheriffship of Peebles, Sen the said advocate Is present in this toun and siclik the said malcom lord flemyng. Not signed nor dated. Endorsed. Apud Edr. XXIX Jary ao. xlij (1542/3). The lordis ordanis ane masser to pas and Warne thir parteis complenit upoun to comper before tham upoun Wednisday nixtocum witht continuatioun of dayis To anser to this Complant. Signed, Alexr. ——, R. rector de spot, Bellenden, H. Balnaves. (*H.*)

604. 31st January 1542/3. Contemporary copy of Letters under the Signet charging John Lindsay, sheriff *in hac parte* to summon (*blank*) to compear before Council on 20 February next to which day action between Lord Hay and Greirson of Lag has been continued ; and also to warn Greirson to compear ; Edinburgh 31 January 1542. (*H.*)

605. 10th February 1542/3. Bull by Pope Paul III in favour of Thomas Hay Archpriest of Dunbar to retain the said Archpresbytery of Dunbar resigned by James Salmond procurator of Robert Walterstoun, on payment to him of a pension of £20 sterling, along with the Provostry of Bothanis Addressed to the Bishops of Feltren and (?)Brechin and the Precentor of Moray ; Dated at Tuscanella in the diocese of (?)Viterbo 19 Kal (10) February 1542. (*H.*)

Bulla, which has been appended by a cord of twisted red and yellow silk, is gone.

606. 21st March 1542/3. Instrument upon the receipt by Robert Lawder of Bass of £80 scots in redemption of the lands of Kylpallet, constabulary of Haddington and shire of Edinburgh, wadset to him by John Lord Hay of Zester ; Done at the instance of the said Lord's procurator, Mr. Thomas Hay Provost of Bothanis, Place of Beill 2 p.m. 21 March 1542 : Witnesses, John Lawder, natural son of the said laird of Bass, John Lawder in Stantoune and Thomas Wait ; John Manderstoune is N.P. (*H.*)

Seal of R. Lauder appended in fair condition.

607. 29th March 1543. Instrument upon the warning given by John Duncan jr., procurator for John Lord Hay of Zester, to Thomas Thayne of Ester Lyf and David Maxwell to receive £100 in redemption of a sixth part of the lands of Admur in Erroll (see No. 370). Done at Ester Lyf and Turbrax, 7 and 10 a.m. 29 March 1543 : Witnesses, Andrew Barry, Rob. Sym, and Mr. Alexander Maxwell, clerk. John Manderstoun is N.P. (*H.*)

Paper.

608. 18th April 1543. Gubernator, Chancellare president and lordis of counsale We gret zou wele forsamekle as thar is dependand befor zow ane actioun and pley betuix oure cousingis malcolm lord flemyng and Johne lord hay of zester tuiching the sherefschip of Peblis And the said matter and actioun Is procedit to the awising and sentence gevin thairintill Oure Will Is herefor and we exort and prayis zow and als chargis zow rycht effectusly that ze awis witht the said proces and actioun Incontinent and gif zoure decrete thairintill affirmative or negatiue but ony forther Delay as ze will do ws singular pleisser. Subscriuit witht oure hand At Edinburgh the XVIII day of Aprile In the zeir of god ane thousand five hundreth and xliii zeiris. Signed James G. (*H.*)

609. 28th April 1543. Extract Decreet, Edinburgh 28 April 1543, by the following Lords of Council, Gawyne Archbishop of Glasgow and Chancellor, Alex. Abbot of Cambuskynnet, Walter lord Sanct Jhonis, Mr. Rob. Galbraitht parson of Spott, Mr. Henry Sinkler parson of Glasgow, Mr. John Sinkler Dean of Lestalrig, Mr. Wm. Lamb parson of Convaitht, Mr. John Weddale parson of Flisk, Mr. Jas. Foulis of Colintoun clerk of Register, Mr. Thos. Ballenden of Auchnoule Justice Clerk, Mr. David Strathauchin, and Mr. John Gledstanis Licentiate in baitht the Lawis (John Lord Hay of Zester, Malcolm Lord Fleming, and Mr. Adam Ottirburn of Auldhame, Advocate to the late king being present), Retreting, Rescinding, Cassing, and Annulling, the late king's forfeiture of the office of Sheriff of Peebles, and gift of it to Lord Fleming ; and Decerning the samin to haif bene fra the begyning and to be In all tyme cuming witht all that followit thair upoun of nane avale force nor effect Becaus the said Jhone lord hay of zester Is grittumlie and enormlie hurt In his heretage throw declarations of oure said umquhile souerane lordis will In maner forsaid for thair Is na Law fund quhy he suld tyne his heretablie office for sic ane falt Howbeit he had bene convict thairof As Is clerlie understand to the saidis lordis : Extracted and signed by Mr. James Foulis of Colintoun Clerk of Rolls, Register and Council. (*H.*)

610. 10th May 1543. Minute of Court held at Admure by John Lord Hay of Zester, 10 May 1543, John Duncan Officer and James Kay dempster ; Action by George Galloway against John Jakson tenant of my Lord of Cowper, Archd. Cambell his forspeker ; Action by John Makky against other 5 tenants Robert Sym, and Pat. Duncan being taken as arbiters on behalf of the first party, and Hendre Broun and Robert Jakson for the 2nd ; and Agreement by John Duncan in Tounheid to let his brother Andro Duncan keep possession of his two acres and a part of the yard at a yearly rent of 20s., at the sight of John Duncan of the Nether Zard and John Duncan the fleshour, are mentioned. (*H.*)

611. 12th May 1543. Reversion in vernacular by George Galloway in Auchtmure and Jonet Patersoune his wife in favour of John Lord Hay of Zeister of a sixth part of the lands of Auchtmure in the barony of Errol, Perthshire, sold by the said Lord to the granters, Pat. Galloway their son and his heirs male, whom failing, Robert his brother etc., whom failing, John their son etc., whom failing, the heirs whatsoever of George G., For the sum of £100 scots to be paid in one sum upon the High Altar of the Kirk of the Carss Grange with a letter of tack for 5 years of the said lands at the yearly rent of 8 marks, 8 pultre and 2 bolls of blakaitis ; Auchtmure 12 May 1543 ; Witnesses, John Maxwell of Polgavy, George Hay, John Duncane ygr., John Duncane elder, Master John Rolland, and Sir John Manderstoune, N.P., who subscribed for the granters because they could not write. (*H.*)

612. 19th July 1543. Gift under the Privy Seal in favour of John Hay son and heir of umquhile John Lord Hay of Zestir, his heirs and assignees, of the releif of all lands, annualrents, mills, fishings, tenants, tenandries, service of free tenants, with their pertinents, which pertained to the said umquhile John, and now pertaining or that shall happen to pertain to the Crown by reason of Sasine given or to be given to the said John as son and heir foresaid of the same. At Edinburgh 19th July 1543.

Composition marked for the sheriff of Lanark 6th August 1550. £23 : 11 : 8.

Composition marked for the sheriff of Peebles 9th July 1551. £114 : 13 : 4.

Composition marked for the sheriff of Edinburgh within the Constabulary of Haddingtoun 12th September 1551. £127 : 6 : 8. (*M.*)

Privy Seal attached in perfect condition.

613. 4th Aug. 1543. Minute of Contract between John Lord Hay of Yestir on the one part, and John Hay and Master Thomas Hay his brothers, executors to the late John Lord Hay of Zestir their father, on the other part, Whereby the saids John and Thomas renounce their said office of Executry, and on the other part the said John Lord Hay is to pay to the said John Hay the sum of 300 merks, to the said Mr. Thomas the sum of 6000 merks, and to Elizabeth Hay their sister the sum of 300 merks "within the space of my said broder Master Thomas to pay him at twa zeiris be equale portiones and Elizabeth our sister to be payit at the sycht of my breder and freindis and for Johnnes three hundretht merkis referrit to my Lordis self." At Zester 4th August 1543. Witnesses, Master John Hay of Smeithfeld, Master Thomas Hay provost of the Bothanis, William Hay of Tallo, John Hay in Quhitlaw, Robert Lyle young laird of Stanepetht, George Hay, John Neilsoun, and Sir John Manderstoun, notary public. (*M.*)

Paper.

614. 8th Oct. 1543. Precept by Queen Mary directed to the Sheriff and bailies of Edinburgh on retour from Patrick Barroun of Spittalfeild sheriff of Edinburgh; for infefting John Hay as lawful and nearest heir of the late John Lord Hay of Zestir his father, in the lands and barony of Lochorworth with tenants tenandries etc., lying in the said bailliary. At Edinburgh 8th October in the first year of the Queen's reign (1543). (*M.*)

Tag.

615. 11th October 1543. Instrument of Sasine by Gawin Stewart to John Lord Hay of Zester following on and narrating a Precept of Clare Constat, dated at the Monastery of Aberbrothok 4 October 1543, by David Cardinal of S. Stephan in Celio Monte, Archbishop of S. Andrews, etc., Bishop of Mirepoix in France, and Commendator of Arbroath, directed to Gawin Stewart in favour of John Lord Hay of Zester as heir of his father John Lord Hay of Zester in the lands of Auchcarmure in the regality of Arbroath, Lanarkshire; Done at Auchcarmure 11 a.m., 11 October 1543: Witnesses, Mr. Thomas Hay, Allan Stewart, John Dalzell and Alexander Robesoun, officer: Nicholas Quhippo, clerk S. And. Dio., N.P. A.a. (*H.*)

615A. 9th November 1543. Item ane Instrument of Seasing in favouris of Jon Hay sone and air of umquhile Jon Lorde hay of yester proceeding upon a precept following upoun a retour furth of the chancellarie of the forsaidis landis and barony (of Lochquharrat) abovewrittne daittit the nynt of November 1543. Alexander Young nottar thairof. *No.* 4, 1663 *Locharret Inventory.* (*H.*)

616. 9th November 1543. Precept of Sasine by William, Lord Creichtoun of Sanchare, Sheriff of Dumfries, to his baillie, Edward Dalrumpyll, for John Lord Hay of Zester in terms of a brief from Chancery under the Quarter seal, dated Edinburgh 8 October 1543, following on Retour by Patrick Barroun of Spittalfeild, sheriff of Dumfries specially constituted for this purpose, finding that um. John Lord Hay of Zester, father of the petitioner John Hay, died seised in the Barony of Snaid and that the said John Hay is his heir; and directing security to be taken for £40 of relief. Brief presented by Dunkane Kid, Lord Hay's procurator: Sanquhar, 9 November 1543. (*H.*)

Signed "William Lord Sanquhar," and seal appended, complete but almost illegible.

617. 10th November 1543. Instrument of Sasine, following on preceding, given by Edward Dalrumpill to Dunckane Kyd attorney for John Lord Hay of Zester: Done at Laggane in Snaid, 11 a.m. 10 November 1543: Witnesses, Andrew Wilsoun, jr. and John Maxwell; Cuthbert Crag, priest S. And. dio. N.P. A.a. (*H.*)

617A. 25th May 1544. Item a charter grantit be Jhone Lord Hay of yester to Jhone Douglas Messoun and his airis of tua portionis of land of Giffergate of the dait the 25 May 1540 (1544). A precept of seasing be the said Jhone Lord Hay of Yester for giving seasing to the said Jhone Douglas of the said land 27 May 1544. Ane instrument of Seasing following thairupon 14 June 1544. Nos. 4, 5 and 6, 17th Century *Minute of Vassalis Writes of some landis about Hadington.* (*H.*)

618. 30th July 1544. Tack by George Archdeacon of S. Andrews and perpetual Commendator of Dunfermling in implement of a Contract with Sir George Douglas of Pettindretht knt. setting to him and his heirs the lands of Pynkyne (Pinkie) and Karss in the granter's lordship of Mussilburghe and regality of Dunfermling and shire of Edinburgh, with the teind sheaves of said lands and the fish teinds "*infra dictam nostram Schiram de Musselburghe*" for the space of 19 years from the Feast of S. Peter "*ad vincula*," called lammes, 1544, Reserving to the granter and his successors the house and principal fortalice of Pynkyne, otherwise known as the Dow Inche, Paying yearly to the granter and his successors, Abbots or commendators of Dunfermling, and the Convent thereof £23 with 16 capons for the said lands and £8 for the fish teind at the terms of Pentecost and Martinmas, and £10 for the teind sheaves at the Purification of B.M. and the Invention of the Holy Cross, called Candilmes and Beltene: Monastery of Dunfermling, penult July 1544. Signed by "Georgius de Dunfermlyn" and the following members of the Monastery: John Boswell, John Baxter, Rob. Matheson, David Dundas, Thomas Burne, James Crethtbhoun, Pat. Masoun, William Burne, Andrew Richartsoun, James Thomsoun, John Augirfadder, Alexander Mow, John Michelsoun, Adam Lausoun, John Forman, Thomas Lytwomen, Thomas Jamesoun, Andrew Brune, Alexander Hineman, John Smytht, Alexander Atkyn and John Murray. (*H.*)

Fragment of Chapter seal appended.

619. 21st August 1544. Precept under the testimonial of the Great Seal of Queen Mary summoning John Lord Hay of Yester to sit in the Parliament to meet at Stirling on Wednesday 12th November next. At Stirling 21st August 2nd year of her reign. 1544. (*M.*)

620. 31st August 1541. Ratification of Letter of Bailliary, dated at Edinburgh 31st August 1544, by Dame Elizabeth Hay Lady Saltoun, relict of William Lord Saltoun, in favour of John Lord Hay of Zestir, of her terce lands and conjunct fee "besowtht the Watter of Fortht." At Edinburgh 31st August 1544. Witnesses, Alexander Abernethy of Nether Dule, Robert Carnegy of Kynnard, William Rolland, burgess in Aberdeen, William Fordice and Maister William Hay, person of Drummark, notary public. (*M.*)

Fragment of granter's seal affixed.

621. 5th June 1545. Reversion by John Duncane, duelland in the Manis of Auchtmure Malkene Yrland his spouse in favour of John Lord Hay of Zester of an annualrent of 5 merks scots, sold him by the said Lord, on payment of the sum of thre scoir threttene pundis fyve schillingis four penneis in crowns of weight on the High Altar of oure Lady Kirk of Carss Grange, allowing for each crown of weight 22s. scots: Auchtmure 5 June 1545: Witnesses, Andro Hay, Johne Duncane in Gurdkyll, Johne Make zownger, David Cok ygr. and Nycholl Quhippo notter, who leads the granter's hands at the pen for signature. (*H.*)

Duncan's seal appended, in fair condition.

622. 16th February 1545/6. Instrument upon the Procuratory by William Murray of Romannos to John Hay burgess of Peebles to receive from Mr. Thomas Hay brother german of John Lord Hay of Zester, sheriff principal of

Peebles, the sum of £50 ; Receipt by said William and John of said sum, which was received and intromitted with by the said Mr. Thomas when the said Sheriff took the said William Murray from the tower of Romannos after the slaying of Sir Alexander James : and the Quitclaiming by said William to said Sheriff, his servitors and Mr. Thomas of the said sum and of intromitting with his goods at the time of his capture after the slaying of Sir Alexander James ; Done at the instance of Lord Hay, in the Kirk of the Holy Cross of Peebles, 3 p.m. 16 February 1545 ; Witnesses, Charles Geddes of Rauchane, William Peblis of Cruxstoun, William Wache of Dawik, James Tuedye of Drummelzier, Rob. Haye, John Scot of Thyrlstane, Sirs John Ker, and Rob Breuhous chaplains, and Nicholis Quhippo N.P. William Newbye, priest Glasgow dio. N.P. A.a. (*H.*)

623. 13th Nov. 1546. Letter by John Lord Hay of Zestere and Maister Johnne Colquhoune, Dene of Peblis, Vicare of Guwane, principal founders of the altar "of the halye appostillis Petire and Paule fundit and situat within the paroche Kyrk of Sanct Andro of Peblis within the Diocesye of Glasgow," constituting the lawful heirs of the said Lord Hay lawful irrevocable and undoubted patrons tutors and detouris of the said chaplainry of the altar foresaid, with power to choose, present and admit to the same a worthy chaplain of good fame litrature and singing, who shall do daily mass and divine service "for the heile of bodye and saule of Marye Quene of Scottis hir forbearis and successouris Kingis ande Quenis of Scottis, the heile of body and saule" of the said Lord Hay, his father and mother and successors, Schir James Stanhous principal and first "dotare" of the said altar, the said Maister John Colquhoun and all christian souls ; ordaining the said chaplain to uphold the lands tenements and biggings pertaining to the said chaplainry in tak, tymmer wallis and all uther parts thereof, and if he fail so to do the heirs of the said Lord Hay shall take so much of the fermes and profits of the said chaplainry as shall uphold the same. At Neidpetht 13th November 1546. Witnesses, Williame Cokburne of Henderlande, James Lewinistoune, Schir Thomas Purwes chaplain and Schir William Newbye notary public. (*M.*)

The seals of the granters are appended, that of Lord Hay being marked with several pin holes, but the shield is complete.

624. —— 1546. Instrument upon the Redemption of a sixth part of Admure, now occupied by John Barry from John Quhithed, Skinner burgess of Perth, as heir of um. Sir Andrew Quhithed chaplain by payment of £100 by Andrew Hay, procurator for John Lord Hay of Zester : Done at Perth 12 midday —— 1546 : Witnesses, James Broune skinner, William Barrat and Eugene Rynd burgesses of said burgh, Rob. Kynman, John Sym and James Henry : Walter Ramsay, priest S. And. Dio. N.P. A.a. (*H.*)

624A. 18th Aug. 1547 (?). Letter by George Master of Angus to his "derrest nepho" Lord Hay of Yester, acknowledging receipt of a writing from him dated at Neidpeth the same day, and promising to speak to "my Lord of Mortoun of that effect concernyng the lard of Drumelzar," "and anentis your cuming to Edinburgh the XX day of this moneth ye sall have your folks ay in a reddynes upone XXIIIJ houris warnyng, bot bryng thame nocht forwart quhill ye have new warnyng." At Edinburgh 18th August n.d. (*M.*)

Signed. Seal of the writer on the back. (1547.)

625. 4th June (?) 1548. Precept of Clare Constat by John Lord Hay of Zester, baron of Snaid, to (Alexander Coittis and Andrew McGowin ?) in favour of Andrew Cunynghame as heir of his father um. John Cunynghame of Birkschaw

in the lands of Birkschaw in the Barony of Snaid, Dumfreesshire. At (Neithpetht, 4 June) 1548: Witnesses, George Hay ——.

Signed. Seal gone.

Note.—The words within brackets are filled in from a memo. in Anderson's Protocol Book Dumfries, fol. 77, No. 78, ed. by Grierson, which notes that Alexander Coittis on 7 June 1549, following on a Precept of Clare Constat as above, dated Neithpetht 4 June 1548, gave A. C. sasine of the two merkland of Byrkschawe and the two merkland of Feuchlarg. This seems to indicate that the above was superseded by a more detailed precept. (*H.*)

626. 26th March 1550. Charter by John Hay, son and heir apparent of William Hay of Tallo, with consent of Jonet Hepburne his spouse, conjunct fiar of the lands of Ugstoun: in favour of Alexander Aitkinsoun, second son of Alexander Aitkinson in Prestoun, his heirs and assignees, of an annualrent of 10 pounds scots furth of the 10 merk lands of Ugstoun, lying in the Constabulary of Hadingtoun and shire of Edinburgh, and of the third part of his lands of Tallo lying in the barony of Olivercastell and sheriffdom of Peblis; in consideration of a sum of money paid by the said Alexander to the granter. Holding of the granter and his heirs in fee and heritage forever; for payment of one penny in name of blench ferm. At Edinburgh 26th March 1550. Witnesses, James Aitkinsoun, uncle of the said Alexander, Master John Sinclare, David Tod, burgess of Edinburgh, John Mosman and Alexander Young, notaries public. (*M.*)

The seals of the granter and his wife are appended, and are in perfect condition. Signed "Johne Hay."

627. 26th March 1550. Precept of Sasine following on the foregoing directed to John Fairlie, William Mathisoun, John Reid, and James ——: Edinburgh 26 March 1550. Signed and sealed as before. (*H.*)

628. 24th July 1550. Precept by John Lord Hay of Zestir directed to John Hay of Peblis, Rowald Scott, John Portews, bailies, for infefting Herbert Johnstoun of Poldene his heirs male and assignees whatsoever in the six merklands of Cokeland, lying in the barony of Oliver Castell and shire of Peblis. At Netpetht 24th July 1550. Witnesses, Thomas Middilmest of Greiston, Mr. Thomas Hay of Dunbar arch presbyter, John Hay of Peiblis, John Portews Younger, Laird of Salchaw. (*M.*)

The seal of the granter is appended, showing only the Hay arms.

629. 20th August 1550. Precept of Sasine by John Lord Hay of Zester, baron of Snaid, directed to Robert and John Atkyne to give conjunct infeftment to Ninian Creythtoune of Gordounstoun and Margaret Hoppringell his wife of the 2½ mark lands of Gordounstoun in the barony of Snaid, resigned by said N. C. for new sasine in terms of old infeftment to um. Ninian Creythtoun of Bellebotht by um. John Lord Hay of Zester, the granter's father: Edinburgh 20 August 1550: Witnesses, Mr. George Hay Rector of Renfrew and Mr. Thomas Hay and John Hay the granter's brothers german. (*H.*)

Signed. Seal gone.

629A. 5th December 1550. Certified Transumpt made 1st February 1617, of the entry in the Protocol Book of Sir John Couper, N.P., recording the Instrument of Sasine, given 5th December 1550, by Thomas Stewart, baillie of the burgh of D. (Dunfermline), following on the resignation by William Couper of a house beside the grave yard of the parish kirk of D. in favour of Sir John Boiswell, sacrist of Dunfermling, and his heirs: Witnesses, John Wemyss of Pittencreiff, Mr. Andrew Stewart, William Walwod the other baillie of D., John Boiswell, Walter Baxter, John Keir in Pettincreif and David Brand serjeant. (*H.*)

630. 6th December 1550. Instrument of Sasine by Rob Atkin, following on foregoing: Done 3 p.m. 6 December 1550: Witnesses, John Nelleson, Rob. Kyell and George Crechtone: Rob. Houstoune priest Glasgow dio., N.P. A.a. (*H.*)

631. *Circa* 1550. Notarial Copy by Cuthbert Simonis, N.P., clerk to the Dean and Chapter of Glasgow, who practised from 1498 till 1553, of the following charters from the Register of Glasgow: 1. Charter by Robert de Lyne sون and heir of David de Lyne to the Kirk of Glasgow of his superiority of Scroggis (R.E.G. No. 87); 2. Charter by David de Lyne to Simon son of Robert of Scroggis of the lands of Scroggis (R.E.G. No. 85); 3. Charter by Robert de Lyne to the Kirk of Glasgow of lands of Scroggis (R.E.G. No. 88); 4. Charter by Robert de Lyne to Simon son of Robert of Scroggis of lands of Scroggis (R.E.G. No. 86); 5. Number 2 recopied. Hac est verum exemplum sive vera copia quinque cartarum de et super terris de le scroggis etc. ex registro bullarum et cartarum ecclesie Glasguensis etc. Et ita est cuthbertus simonis publicus atque decani et capituli predicti notarius etc.

Paper badly decayed.

632. *C.* 1550. Another copy by a different hand, unsigned. (*H.*)

633. 3rd April 1551. Instrument of Sasine by Alan Dikkesoun baillie of Edinburgh of an annualrent of 10 marks from the high and low land of Alexander Zoung, notary, between the lands of David Tod or S. and N. within the tenement of said D. T. on S. side of High Street, Edinburgh, between the tenement of Mr. Thomas Marioribankis on E. and tenement of um. Alexander Fothringham on W.; and also from the land high and low of said Alexander within the said tenement of Mr. Thomas Marioribankis in the close called —— cloiss between the land of um. Thomas Blytht on N. and a waste land of said Alexander on S. resigned by the said Alexander Zoung in favour of Mariota Andersoun, widow of Rob Tod burgess of Edinburgh, in liferent and of David Tod son of said R. T. in fee; and the delivery by said Mariota and David, with consent of his tutor Andrew Tod, to the said Alexander Zoung of a letter of reversion of said annualrent for the sum of 200 marks. (*H.*)

634. 5th April 1551. Instrument of Warning by John McCleg, procurator for John Haye Lord of Zester, baron of Snade, to Andrew Wilsoune of Ardis, at his principal dwelling-place, to compear in the Parish Kirk of Tynneroune on 15 May next and receive the sum of 6 score pounds on the Altar of S. Cuthbert for the redemption of the lands of Laganne and Conistoun; And also the sum of 300 marks for redemption of the 20 sh. lands of Tagartstounne in the barony of Snade; Done at the said Andrew's door between 8 and 9 a.m. 5 April 1551; Witnesses, Henry Smytht and John M'Croune, Rob. Houstoune is N.P. (*H.*)

635. 15th May 1551. Letter of Tack by Andro Vilsoune elder in Ardis of Tynroune to John Lord Hay of Zeister of his 20 sh. lands of Tagartstoune of Auld extent occupied by John Tagart, lying in the barony of Snayde, at the yearly rent of 24 marks until the said Lord or his heirs will redeem them: Snayde 15 May 1551: Witnesses, Andro Creichtoune of Craufurdstoune, Amer Kirkaucht of Soudanvell, Rob Greirsoun in Inglestoun, Thomas Twedy and Hew Creichtoune. Signed by Wilson, his hand led by Herbert Andersoune N.P. (*H.*)

Seal impressed in fair condition. Paper.

636. 14th November 1551. Letter of Reversion by Jane Hepburne Lady Setoune and John Setoune her oye (son), of um. George Lord Setoune her son, to John Lord Hay of Zester of an annualrent of 40 marks (sold by him to her in liferent and to her oye in fee) from his lands of Lochquorett in Edinburghshire, between the lands of Litill Lochquorett pertaining to Patrick Erle Bothuile on E., lands of Hallflekhill pertaining to said Lord on S., the castell and toun of Borthuik on W., and the hegett on N., upon payment in the Kirk of the sisteris callit the Senis besyde Edinburgh of 600 marks: Edinburgh 14th November 1551: Witnesses, Freir Androw Abircrumbye pryour of the Freiris predicatouris of Edinburgh, Freir Androw Leis, Nicholl Quhippo, William Donaldsone, and Schirris, Laurens Tod vicar pencionar of Sanct Gelis Kirk of Edinburgh: and Eduartt Lein chaplanis and notaris publishir. Signed "Jhane Lady Seton, Jone Seton vyth my hand." (*H.*)

Granters' seals appended in fair condition.

637. 14th November 1551. Contemporary notarial copy of the foregoing, made by John Allane, N.P. (Paper.) (*H.*)

638. 15th March 1551/2. Letter of Reversion by William Mathye to John Lord Hay of Zester of the lands of Laidlouch in the barony of Auchkarmure in the regality of Abirbrothok, Lanarkshire, occupied by Margaret Grahame and Katherine Quhitlaw, sold to the granter by the said Lord, upon payment of £300 upon the Altar of S. James the Apostle in S. Giles Kirk of Edinburgh, viz. 118 crowns of the sun at 23 sh. each, 16 unicorns of gold at 23 sh. each, 15 Abbay crowns at 23 sh. each, and £13: 13s. in quhite silver together with a letter of 5 years' tack of said lands; Edinburgh, 15 March 1551. Witnesses, Pat. Hay, John Cossar, Nicholl Quhippo, John Wernour and John Edgar. Signed by Mathye his hand led by Andrew Hay, N.P. (*H.*)

Seal appended in poor condition.

639. 27th May 1552. Letter of Reversion by William Cokburne of Newhall to John Lord Hay of Zester of the lands of Afflekhill in the barony of Lochquhorat, Edinburghshire, sold to him by the said Lord, upon payment of 500 marks on S. James's Altar, S. Giles Kirk, Edinburgh, with a letter of 5 years' tack of said lands at a yearly rent of 9 marks 9 sh. Edinburgh, 27 May 1552. Witnesses, Mr. Andro Hay, Hairie Atoune, James Portous, John Lyndesay, John Edzear, John Vernour, Rob. Dalglesche, and Nicoll Quhippo, N.P. Signed "Wilza Cokburn of Newhall," and also by R. Scott a notary. (*H.*)

Seal appended in poor condition.

640. 27th May 1552. Contemporary notarial copy of the foregoing, made by John Allane, N.P. (Paper.) (*H.*)

641. 30th May 1552. Letter of Reversion by William Cokburne of Newhall to John Lord Hay of Zester of the lands of Curie in the barony of Lochquhorat, Edinburghshire, sold him by the said lord, upon payment of 400 marks on the Altar of S. James in S. Giles Kirk, Edinburgh, with a letter of 5 years' tack of said lands at a yearly rent of 9 marks: Edinburgh, 30 May 1552: Witnesses, John Lyndesay, John Edzear, Rob. Dalglesche, John Vernour, burgess of Edinburgh, Sir Andro Hay, John Cokburne, Laurence Bower and Nicholl Quhippo. Signed and sealed as before. (*H.*)

Seal in poor condition.

642. 30th May 1552. Contemporary notarial copy of the foregoing, made by John Allane, N.P. (Paper.) (*H.*)

642A. 25th February 1552/3. The fundatioun of Sanct Martines Altar within the churche of Peblis pertenyng to the hous of Milkiestoun 1552, 25 February. *No.* 43, 1619 *Minute of Writs received by Margaret Lady Yester.* (*H.*)

642B. 2nd November 1553. Feu Charter by Sir Robert Ostillare chaplain of the chaplainry of Halyburtoun with consent of Patrick Lord Rothwene patron of the said chaplainry, for money paid him by James Rothwene brother german of the said Lord, In favour of William Rothwene second son of the said Lord and his heirs male of the lands of Marvinstoune, pertaining to the said chaplainry and lying in the barony of Boltoune in the constabulary of Haddington and shire of Edinburgh, yearly rent £20 and 8 bolls of victual: to be held by the said William and his heirs male of his body, whom failing, Archibald Rothwene his brother german, etc., George Rothwene his brother german, etc., and James R. his brother german: Paying yearly to the said chaplain and his successors £20 : 3 : 4 at Pentecost and Martinmas and 8 bolls of victual at Martinmas, and in augmentation of the rental 3sh. 4d. at the entry of heirs: Edinburgh, 2 November 1553. Witnesses, James Rothwene brother german of the said Lord, Sir James Thomsoun, Alexander Lyndesay and John Strang.

Extracted from the copy embodied in the Letters of Confirmation following No. 644. (*H.*)

643. 28th November 1553. Precept of Sasine following on the foregoing, baillies' names left blank: Edinburgh, 28 November 1553. Witnesses, Mr. James Kennedy, chancellor Dunblane, Pat. Brissoun, James Thomsoun and John Rudderfurde. Signed, Patrik Lord Ruthuen, and Dns. rebertus ostlare chapelanus de halyburton manu ppa. Ita est dns. Alexander quhit nrius. publicus. (*H.*)

Seals of Lord R. and granter appended, in bad condition.

644. 27th December 1553. Commission by John Archbishop of S. Andrews and Primate as Legate latere to the Precentor of Glasgow, Chancellor of Dunblane, and the Provosts of the College of S. Mary of the Fields of Edinburgh and Rosling, to examine and confirm the grant of the lands of Mervinstoune, see No. 642B. Dated at Edinburgh 1553. 6 Id. December (27 December) Pont. Julius III. anno 4. Signed A. Forrest secretarius, T. Bleid abbreviator, J. datarius, F. Petrus. (*H.*)

The seal of office of Legate, now completely gone, has been enclosed in a vesica shaped metal box, which is appended by a hemp cord of twisted red and yellow, after the Roman manner.

645. 31st January 1553/4. Letters of Confirmation by James Kennedy, chancellor of Dunblane, and John Singclere, Provost of Rosling, following on and narrating No. 644 and confirming Charter No. 642B. Dated at the chapel of S. Gabriel the Archangel in the Parish Kirk of S. Giles, Edinburgh, dies mercurii 31 January 1553. Witnesses, Sir William Myretoun, treasurer of the Chapel Royal in Stirling, James Marioribankis, scribe to the Consistory Court of the official of Lothian, Mr. William Thomsoune chaplain N.B., Sir Thomas Thorbrand priest, and Olifer Cok layman.

Under the sign and subscription of George Cok, M.A., clerk S. And. Dio., N.P. A.a. (*H.*)

Seal of Kennedy and Sinclair appended by green hempen cords and enclosed in circular metal boxes, in fair condition.

646. 2nd March 1553/4. Brief of Inquest from Chancery to Masters John Abircrummy, Rob. Heriot, John Kincragy, Andrew Hay, John Moscrop, Rob. Creichtoun, Richard Troop and Magnus Towris, macere "our clerks" and sheriffs of Dumfries specially constitute in favour of John Lord Hay of Zester to be served heir to his father's lands in Dumfries. *Teste Meipsa:* Edinburgh, 2 March 1553.

Endorsement bears that on Monday, 19 March 1553/4, Thomas Marschell, one of the officers and serjeants of the sheriffdom of Dumfries, proclaimed from the Market Cross of D. that this brieve was to be served in the Tolbooth of Edinburgh on 7 april next. Witnesses, William Maluile, Thomas Mclege. (*H.*)

647. 2nd March 1553/4. Commission under the Quarter Seal from Chancery with consent of John Lord Flemyng, sheriff of the ward of the Sheriffship of Dumfries, following on Brief of Inquest (No. 646) and addressed to same persons to hold Inquest in the Tolbooth of Edinburgh: Edinburgh, 2nd March 1553.

Endorsement bears that in the Tolbooth of Edinburgh, 8th March 1553/4, there compeared in the presence of the Lords of Council, Rob. Creichtoun and Robert Heriot and received office. Witnesses, George Gibsoun, John Stewart and Henry Wardlaw: John Wallace, N.P. (*H.*)

Fragment of seal appended.

648. 20th March 1553/4. Letter of Procuratory by John Lord Hay of Zester, baron of the lands of Hopprew, to John Hay in Peblis, to warn James Lindesay, son to John Lindesay of Cokvingtoun, Hew Lindesay, also son to the said John Lindesay, and Marioun Louth, daughter and heir of umquhile Andro Louth, burgess of Edinburgh, to come to the college Kirk of Saint Giles upon forty days warning, and there on St. James' altar to receive the sum of 200 merks each to the saids James and Hew and 240 merks to the said Marioun, and to resign the lands of Hopprew Eister, lying in the barony of Hopprew and shire of Peebles, and to deliver to him all the charters, etc. of the same. At Zestir 20th March 1553. Witnesses, Master Thomas Hay, provest of the Bothanis, Maister Andro Hay persoun of Rothven, William Hay of Tallo, John Hay, son and apparent heir to the said William Hay of Tallo, John Dykkesoun, younger Laird of Wynketoun, Nycoll Quhippo and William Maluell, notaries public. (*M.*)

Paper. The seal of the granter is affixed, much broken.

649. 31st March 1554. Procuratory by John Greirsoun of the Lag to Masters John Moscrop and John Abircrummy to object to the serving of the brief impetrat by my Lord Zester of the lands of Terrarane: Lag, last day of March 1554. Signed "Jhon Grerson of Lag" and seal impressed in bad condition.

Endorsement bears that it was produced in Edinburgh 7 April '54 by Moscrop and received by J. Nicolsoun. (*H.*)

Paper.

650. 7th April 1554. Claim of John Lord Hay of Zestir to the Inquest to be served heir to his father um. John Lord Hay of Zester in two marks' worth of the 5 mark land of Terrarene, worth 16 marks yearly and held of Alexander Earl of Glencarne, in whose hands they have been for 10 years and 1 term through nonentry.

Noted in a different hand, "Ye hale inqueist in ane voce fullis ye clame and sers is affirmative." (*H.*)

Undated, but endorsed 7 April 1554.

651. 7th April 1554. Minute of ane Court of the Shirefdome of Drumfreis haldin in the Tolbuytht of Edinburgh for serveing of my Lord Zester to the Landis of Terrarane. See abstract immediately following. (*H.*)

652. 7th April 1554. Certified Extract Process of the Court of the Sheriffdom of Dumfries held by special commission by Masters Robert Heriot and Robert Creichtoun 7 April 1554, narrating that, John Lord Hay of Zester and Mr. Thomas M'Calzeane his prolocutour compearing, producing the brief of Inquest (No. 646) and requiring him to be served heir as specified, and Mr. John Moscrop compearing as procurator for John Greirsone of Lag, an inquest of the persons underwritten was chosen, viz :

Gil. Wauchope of Nydrymerschell
Adame Wauchop of Caikmuir
Wm. Wauchop in Dudingstoun
Alex. Zule of Garmiltoun
Wm. Quhippo of the Leyhous
Archd. Wauchop in Nidry
Thomas Myddilmest of Grevistoun
Alex. Horsburght of that Ilk
Johne Cokburne of the Glene
Jas. Holdene
George Newtoun in Dreme
Thos. Borthuik
Patrik Gleich ;

the said lord produced his father's sasine dated 13 May 1540 (see No. 564), whereupon Moscrop objected that it was not valid as it followed upon a decreet (No. 560) which had been annulled by another : but the jury served Lord Hay as specified in his claim (No. 650) with the addition of clause stating that these lands had been apprised by Adam Forman macer (see No. 560) from John Greirsone of Lag as surety for Wm. Amilligane in the sum of 300 marks. Extracted and signed by Jas. Nicolsoun, clerk to the said court. (*H.*)

Note.—This document consists of 12 pagea,—6 only written upon, bound together in book form.

653. 14th April 1554. Commission by John Archbishop of St. Andrews to the Precentor of the Kirk of Glasgow and Provost of the Collegiate Kirks of the Blessed Mary "de campis" of the town of Edinburgh and of Rosling for confirming a Charter by James Commendator of Melrose and convent thereof of the Cistercian order for the augmentation of the revenue of the said Monastery of the lands of Monkland, lying in the Lordship of Zester within the sheriffdom of Edinburgh and Constabulary of Haddingtoun, belonging to the said Monastery, out of which Thomas Mersar subprior and for the time being subprior of the said Monastery had annually the sum of twenty shillings scots, in favour of George Hay in Mynzeane in liferent and George Hay his son and heir apparent and Jonet Betoun spouse to the said George Younger and the survivor of them in conjunct infeftment, and the heirs lawfully procreated or to be procreated between them, which failing to the lawful and nearest heir or assignees of the said George whatsoever. Holding from the said Commendator and convent for yearly payment of thirty shillings scots and doubling the feu duty the first year of entry of each heir. At St. Andrews 14th April 1554. (*M.*)

Fragment of Archbishop's seal remains.

654. 4th May 1554 Letter of Reversion by Andro Wilsone and his wife Agnes Coittis to John Lord Hay of Zester, baron of Snaid, of an annualrent of 20 marks from the lands of Colniestoun in Snaid, sold them by the said Lord, upon payment of 300 marks on the High Altar of the Parish Kirk of S. Cuthbert of Tynrown ; Neipeth 4 May 1554 : Witnesses, Jas, Twedy of Frude, Andro Cunyngame of Birkschaw, Mr. Gilbert Wylam, Rector of Lyne, Wm. Wache of Kingsyde, and John Dawgles. Signed by A. W. his hand led by John Allane, N.P. (*H.*)

Seal appended, in good condition.

655. 20th Jany. 1554/5. Respite under the Privy Seal in favour of Thomas Hay son to John Lord Hay of Zestir, Maister Thomas Hay provest of Bothanis, Maister George Hay persoun of Eddilstoun, Maister Andro Hay persoun of Rothven, and John Lindesay, for their treasonable coming in company with Matho sometime Erle of Levenax, umquhile William Erle of Glencarne, and others their accomplices "in arrayit battaill with displaiit baner to oure toun of Leith" in the month of January 1543, against the Queen and James Duke of Chattellarault, Earl of Arrane, then tutor to Her Majesty, and for all actions, crimes, etc. done by them in time bygone before the date hereof. At Edinburgh 20th January 1554-5. (*M.*)

Tag.

656. 27th March 1555. Charter by James Commendator of the Monastery of Calco and Melrose, and convent of Melrose of the Cistercian order, in favour of Master George Hay of Mynzean in liferent, and George Hay his son and apparent heir and Jonet Betoun his spouse in conjunct infeftment, and the heirs lawfully procreated or to be procreated between them, which failing to lawful and nearest heirs of the said George whatsoever and his assignees, of the lands of Monkland, with pertinents lying in the Lordship of Zester, sheriffdom of Edinburgh and Constabulary of Hadington, extending yearly in rental to twenty shillings scots. Holding of the granters and their successors in feuferme and heritage for ever; Paying yearly to Sir Thomas Mersar subprior and convent of the Monastery of Melrose and their successors, thirty shillings in name of feuferme and so augmenting their rental of ten shillings, and to compear at the three head courts held at Melrose if required, and doubling the said feuduty the first year of their entry to said lands. At the Monastery of Melrose 27th March 1555. (*M.*)

The common seal of the said Monastery is appended in good condition, and the subprior, Commendator, and eleven of the fraternity sign the charter, to which there are no other witnesses. Edward Slewman is bailie.

657. 3rd April 1555. Sasine following upon foregoing Charter by James Commendator of Calco and Melrose in favour of George Hay of Mynzeane, George Hay his son and Jonet Betoun spouse of said George younger of the lands of Monkland etc., *ut supra*; date and witnesses as in preceding writ. Sasine dated 3rd April 1555. Witnesses, Alexander Diksoun, John Nicolsoun, Walter Coilstoun, Robert Dobsoun, Paul Bower, Robert Gardner and Robert Groiset; John Cranstoun is notary. (*M.*)

658. 8th April 1555. Instrument of Sasine by Thomas Myddilmist of Greistone, sheriff *in hac parte*, to Wm. Cokburne in Hynderland, attorney for John Lord Hay of Zester, following on and narrating Precept of Sasine from Chancery, dated Edinburgh 30 March 1555 and directed to the Sheriff of Peebles and his baillies and to Thos. Middilmyst of Grestoun, Wm. Tuedie and Jas. Scot, proceding upon retour from Pat. Barrone of Spittilfield, sheriff of Peebles *in hac parte*, finding John Lord Hay of Zester heir of his father um. John Lord Hay of Zester in the lands of Ester Hoprew with its pertinents Edstone and Megothe, security to be taken for £667 for firmes of said lands in the Queen's hands for 11 years and 1 term since 26 Sept. 1543; the lands of Jedworthfeild with the office of Sheriff of Peblis, £76 : 13 : 4 due for firmes thereof; the lands and barony of Olivercastell, the superiority of the lands of Todrik, Selkirkshire, united to said barony, and the half of the lands of Glenrusco, £575 due for firmes thereof, the said John not having obtained sasine of the above following upon another precept dated the said 26th September: Sasine of Hoprew, Edstone, Jedworthfeild and the office of Sheriff given at the Castle of N[illegible]ethe; of Megothe at the place and Fortalice of Crammald; and of the ba[illegible]y of Olivercastell, etc. at the principal messuage of Olivercastell: Done

11 a.m. and 4 p.m., 8 April 1555; Witnesses, John Cessfurde, Thos. Thorbrand, Thos. Melros, Wm. Geddes, son and apparent heir of Chas. G. of Rauchane, Jas. Patersone, Serjeant of Olivercastell, John Huntare, Wm. Moffet, John Nobill and Pat. Matthesone: Wm. Maluill, clerk S. And. dio., N.P. A.a. (*H.*)

659. 21st May 1555. Sasine following upon Precept from Chancery on Inquest held by Patrick Barroun of Spittelfeild, sheriff of Edinburgh in the Constabulary of Hadington, directed to Alexander Yule of Garmiltoun, sheriff depute of Edinburgh in the Constabulary of Hadington, for infefting John Lord Hay of Zester as lawful and nearest heir of the late John Lord Hay of Zester his father, in the lands and barony of Zester, with castle fortalice etc., advocation and donation of the Collegiate church of Bothanis and chaplainries thereof, the lands of Park, Mains of Garmylstoun, Giffurde gait and superiority thereof, the lands of Linplum viz.:—one fourth part in property and the rest in superiority and tenandry, the superiority and lands of Lethingtoun, lands of Duncanelaw, except the lands mortified to the Kirk, the lands of Baro and superiority thereof, lands of Uxstoun and Blaus, the lands of Beltoun and Gilpallat lying in the bailliary of Garmyltoun. Taking security of ninety, twenty pounds of ferm of the said lands and barony, being in the Queen's hands by the space of eleven years and one term next and immediately following the 8th October 1543, and of 153 pounds 6s. 8d. of fermes of the lands of Uxstoun, 46 pounds of the lands of Blaus and 460 pounds of fermes of the lands of Beltoun and Gilpallat. Precept dated at Edinburgh 27th March 1552. Sasine dated 21st May 1555. Witnesses, Patrick Hog, Thomas Chalmer, William Maisoun, Thomas Beltoun, Richard Patersoun, John Wallace, Hugh Creichtoun, Mr. James Tempill Cuthbert Hendersoun, James Watsoun, Ninian Dalzell, John Calder, Andrew Myll, William Donaldsoun, Sir William Alane, chaplain, and John Buccum, officer and serjeant of the Sheriff of Edinburgh in the said constabulary. Nycholas Swyntoun is notary. (*M.*)

660. 12th June 1555. Confirmation by Alexander Forrest and John Sinclair provost of the Collegiate Kirk of the Blessed Mary "de campis" and John Sinclair of Roslyn conform to foregoing commission (No. 653) from the Archbishop of St. Andrews to them, of the charter granted by James Commendator of Calco and Melrose and convent thereof in favour of George Hay of Mynzeane in liferent and George Hay his son and heir apparent and Jonet Betoun spouse of said George Hay, younger, etc., of the lands of Monkland lying in Lordship of Zestir, sheriffdom of Edinburgh and Constabulary of Haddingtoun, etc., as in preceding writ (No. 656); Charter dated at Melrose 27th March 1555, and signed by the said Commendator, Thomas Mersar, subprior, Richard Patersoun, William Philip, John Watersoun, David Oppringill, Barnard Boustoun, Rudolph Hudsoun, Alexander Ballenden, Thomas Meyn, John Premros, Mungo Purves and John Hoghard. Confirmation dated at the Collegiate Kirk of St. Giles in the town of Edinburgh and diocese of St. Andrews 12th June 1555. Witnesses, John Dalliell of that Ilk, Oliver Sinclar, John Hammyltoun, William Balze, Edward Slewman and Mungo Tenand, burgess of Edinburgh. William Meldrum, Master of Arts, is notary. (*M.*)

The seals of Alexander Forrest and John Sinclar are appended in perfect condition.

661. 11th August 1555. Letter of Assedation by George Archdeacon of S. Andrews as Perpetual Commendator of the Monastery of Drumfermling with consent of the members to Mr. Jas. Makgyll of Nethir Rankelour, his heirs, assignees and sub-tenants of the lands of Pinkyne and Kerss with pertinents, lying in "our" *schira* and Lordship of Mussilburtht and "our" regality of Drumfermling within the shire of Edinburtht, along with the teind sheaves of the said lands and also the teind fish of the said lordship and schira of Mussilburtht, salmond and other fish vulgarly called "reed and quhite fische," for the space of Nineteen years entry at Pentecost next; To be held and Had by the said

Master James, etc. of us and our successors the said lands, etc., excepting our house and principal fortalice of Pinkine called "ye Dowynthecum"; Paying yearly for the said lands £20 scots and 16 capons, for the fish teinds £8 scots, and for the teind sheaves at Candilmes and beltyne in equal halves £10 scots; Monastery of Dunfermling 11 August 1555. Signed Georgius comendatarius de dunfermlyn; Johes baxter prior ad idem; Ego Allex. Stewin ad idem; Et ego Marcus Lun ad id.; Et ego Thomas (Crum?) ad id.; Et ego Jacobus Reydpeth ad id.; ego Patricius Masone ad id.; Alexr. Atkyn ad id; Et ego Johannes Angus ad id.; Jacobus thomson; Johannes Scott; Robertus (Lokard?) ad id.; Jacobus dundas; Andreas Gray ad id.; Robartus Mastertoun ad id.; Thomas Jameson; Johannes Hendersoun ad id.: Et ego Willelmus (broun?); Et ego alexander Summare ad Id.: Et ego Allexr. Mow ad Id.; Et ego Johannes boswell ad Id. (*H.*)

Chapter seal appended, in fair condition. (Backed 2, 3.)

662. 28th November 1555. Instrument of Sasine by Robert Falconer sheriff depute of Lanark to Charles Geddes of Rauchane, attorney for John Lord Hay of Zester, following upon and narrating a Precept of Sasine from Chancery dated Edinburgh 12 July 1555 and directed to the Sheriff of Lanark and his baillies, proceeding upon retour from Pat. Baroun of Spittalfeld, sheriff of Lanark *in hac parte*, finding John Lord Hay of Zester heir of his father um. John Lord Hay of Zester in the sixth part of the lands of la nethertoun of Strathawene and the half of a quarter of the mill thereof and an annualrent of 5 sh. from the lands of Glengewill in the barony of Strathawene, taking security for £163 of the firmes thereof in the Queen's hands since 8 October 1543; and the sixth part of the lands of Thankertoune and the Mill thereof, £120 due of firmes, the said Lord not having obtained sasine following on a precept dated the said 8th October. Done at Thankertoune, 10 a.m. 28 November 1555: Witnesses, John Purdy, John Hamiltoun burgesses of Lanark, Symon Purdy, John Tennant, and William Lowry N.P.; Ninian Breyss, priest Glasgow dio., N.P. A.a. (*H.*)

663. *C.* 1555. Fragment of a Citation by John Suanis Romanus, Doctor of Laws and Papal Chaplain, specially appointed by Pope Julius III. (1550-1555), following on a supplication by George Hay, Canon of Glasgow and Rector of Edliston, called the prebend of Edliston of the said Metropolitan Kirk of Glasgow, lawfully provided by apostolic authority, ordering Michael Nasmyt, asserted cleric or layman of the said diocese, to refrain from occupying said benefice. (*H.*)

The date has been torn away, and the parchment used to bind a Rental of 1640 of the Yester properties in Bothans and Barro.

664. 7th January 1555/6. Procuratory by Wm. Meill, son and heir of um. Wm. M., burgess of Edinburgh, to Pat. Thomsoun, John Wauchop —— to resign his fore land *nunc vastam et per anglos combustam* with the garden lying in lie Cowgait on the North side between the waste land and garden of Rob. Henrisoun, *lanionis* (skinner), burgess of said burgh, on the West and Meill's other fore land on the West side of the "transitus" of the venell called Sanct Mary Wynd on the east and the garden of Alex. Zoung Notary on the North and the said street of the Cowgait on the South In favour of the said Rob. Henrisoun and Alisone Meill his spouse for new infeftment: Edinburgh 7 January 1555. Witnesses, Wm. Farnlie, Pat. Thomsoun, and James King N.P. Signed, "Willzeam Meall wt my hand." (*H.*)

Seal appended in good condition.

665. 23rd Janry. 1555/6. Gift under the Privy Seal by Queen Mary to Wi[illegible]n Lord Hay of Zestir, son and apparent heir to um. Johne Lord Hay of Ze[illegible], of The office of Sherefschip of oure sherefdome of peblis and of the

provestrie of oure burgh of peblis for the space of ane zeir next tocum eftir the dait heirof and fordir to indure at oure will and at the will of oure derrest modir Marie quene drowriare of oure realme and regent thairof: Edinburgh 23 Janry. 1555; following on signature of Queen Regent. (*H.*)

Paper. Privy Seal impressed, much broken.

666. 25th February 1555/6. Gift by Andro Master of Erole and feare of the same, and George Earl of Erroll, liferenter thereof, To William Hay now Lord Zester, son and apparent heir of John Lord Hay of Zester, and to Master Thomas Hay Provost of Bothans conjunctly of the nonentries, etc. of the lands of Auchmure in the lordship of Erroll of all years and terms that the same has been in their hands since the decease of John Lord H. of Z. gudschir to the said Wm. Edinburgh 25 February 1555: Witnesses, Peter Hay apparent of Megynch, Mr. Andro Morat, John Dixison, George Cranstoun of Easkelye. (*H.*)

Signed and sealed, the Master's seal still entire.

667. 1st March 1555/6. Letter by David Dowglass of Colbrandspeth, sone and air of vmquhile Syr George Dowglass of Pettindreith knycht, consenting to Mr. James Makgill of Rankelour nethir Clerk Register obtaining from the Commendator and Convent of Dunfermyling few takkis of the lands of Pynkyn and Kerss with the teinds thereof and teynd fische alsweill of salmond as of wther fische which my said vmquhile fader had in tak of the said commendator and convent: Edinburgh 1st March 1555: Witnesses, Wm. Dowglass of Quhittinghame, Hew Dowglass of Borg, and Sym Pe' ango. Signed, Dawyd Dowglass of colbrandspeth. (*H.*)

Paper, no seal.

668. 13th March 1555/6. Precept by James Lord Saint John, Preceptor of Torphichen, Knight, directed to Thomas Marschell for infefting William Hay now Lord of Zester as lawful and nearest heir of the late John Lord Hay of Zester his father, in two temple lands, with pertinents, of which one lies in the barony of Zester, sheriffdom of Edinburgh and Constabulary of Hadingtoun, and the other lies in the barony of Lyne and sheriffdom of Peebles. At Edinburgh 13th March 1555. Witnesses, James Tennand, James Polwart and Sir John Broun notary public. (*M.*)

The seal of the Preceptor is appended in good condition.

669. 30th March 1556. Letter of Procuratory by William Hay, son and apparent heir of umquhile John Lord Hay of Zestir, with consent of James Earl of Mortoun, Maister James M'Gill of Rankelour Nether, Clerk of Register, and Maister Thomas Hay, provest of Bothvenis, his curators, constituting Mr. Thomas Hay provest of the Bothanis and Mr. Edmonde Hay his procurators to compear before the Sheriff of Edinburgh, within the Constabulary of Hadingtoun, and his deputies in the Tolbooth thereof the 20th April next, and there to desire a Breif of Inquest for serving the said William as nearest and lawful heir to umquhile John Lord Hay of Zester his father, in all lands and annualrents, lying within the said Sherifdom of Edinburgh, wherein the said John Lord Hay died last vest and seized. At Edinburgh 30th March 1556. Witnesses, William Cokburne of Henderland, John Dickesoun of Winston younger, Hewe Creichton, etc. (*M.*)

The seal of Lord Hay is affixed, and is somewhat blurred. Paper.

670. 18th April 1556. Certified copy of the Retour of Inquest held in the Tolbooth of Edinburgh 18 April 1556, before Masters Alex. Mauchane and Clement Litil Sheriffs *in hac parte* of Lanark specially constitute by the follow-

ing jurors, John Lord Borthuik, Michael Borthuik of Glengelt, Thos. Borthuik of Pirncado, Alex. Creichtoune of Newhall, Adam Wauchop of Caikmure, Alex. Horsburtht of that Ilk, John Stewart of Traquair, chas. Geddes of Rauchane, John Govane of Cardrono, Jas. Hammiltoune of Stanypeth, John Dikesoun ygr. of Wynxstoun, John Inglis of Manerheid, Jas. Caverhill of Fewlege, Ard. Baillie of Hill, Thos. Middilmaist of Greirston, finding William Hay heir of his father John Lord Hay of Zester in the lands of Acharmaire in the regality of Arbroath and shire of Lanark held in chief of the Abbot of Arbroath and in his hands since the decease of the said Lord in January 1555.

Original Retour, of which this is a copy, by Wm. Ogill, depute director of Chancery, to remain in Chancery. (*H.*)

671. 18th April 1556. Contemporary copy of the foregoing Retour. (*H.*)

672. 30th June 1556. Charter by Friar Gilbert Broun, Minister of the Holy Cross (Kirk) of Peebles, to Robert Broun, son of the late John Broun in Hoprew Wester, of 7 marks of the Fluris parish of Peebles, at the east end of the burgh of Peebles, occupied by Catherine Wilsone relict of um. Ninian Lowyis, Thos. Tuedy, Sir John Bull chaplain, Laurence Horsbruk and John Smytht, To be held of the Minister of Peebles for payment of one penny scots at the Invention of the Holy Cross of Peebles, if asked in name of blanche firm and the sum of £3 : 10s. of old rent with 10s. of Augmentation : Peebles 30 June 1556. Witnesses, John Scot, Pat. Dikesone and ——, servants of said Minister, and Sir John Allane, N.P.

Signed Ffrat Gilbertus broun minist, of peblis manu (propria) ffrat Johannis robyne manu ppa.
frater Thomas Smyt manu ppa.
frater Johanis newins manu ppa.
frater Jacobus lowis manu ppa. (*H.*)

Seal of Monastery appended entire but defaced. A note states that this deed was produced at Edinburgh 16 January 1565/6 by Hewait before the Lord Commissioner.

672A. —— 1556/7. A Licence granted be queine marie subscrivit be the quene duarier in the 14 yeir of queine maries regne to Mr. Thomas hay provest of bothanis to resigne att rome the archpreistrie of dumbar in favouris of thomas hay sone to Jon Lord hay of Zester. (Note "wanting.") *No.* 44, 1619 *Belton Inventory.* (*H.*

673. 30th Janry. 1557. Letter of Reversion by Elizabeth Hay, sister to umquhile John Lord Hay of Zestir, "that last deceissit" to William Lord Hay of Zestir, for redemption of an annualrent of thirty merks out of his lands of Gammilstoun, lying in the Lordship and barony of Zestir and Sheriffdom of Edinburgh, granted to her by the said William Lord Hay with consent of James Earl of Mortoun, Maister Thomas Hay provost of Bothanis and Maister James M'Gill of Rankelour Nether, Clerk of Register, his curators; on payment of 300 merks on the high altar of the College Kirk of Bothanis. At Bothanis 30th January 1557. Witnesses, Maister Thomas Hay provest of Bothanis, William Cokburne of Henderland, Thomas Hay son to umquhile George Hay in Zestir, John M'Quene servant for the time to William Mailuile, and Schir William Doubsoun vicar of Bothanis. (*H.*)

The seal of the granter is appended in good condition.

674. 30th April 1557. Precept by Queen Mary receiving Thomas Hay a[illegible] Hugh Creichtoun as attornies for William Hay, son and heir of the late J[illegible] Lord Hay of Yester, in all negotiations suits and quarrells moved or to be

moved by said William. At Edinburgh 30th April 15th year of the Queen's reign (1557). (*M.*)

Fragment of Great Seal.

675. 14th May 1557. Instrument narrating that Thomas (Hay) de Smeithfeild, attorney for Wm. Hay Lord of Zeistir, went to the Monastery of Aberbrothok and in presence of John Hamilton abbot, Dom Rob. Durwart subprior, and the convent of the said Monastery, superior of the lands and barony of Archcarmure, presented a brief of sasine from Chancery to the said subprior and requested sasine in terms of said brief: Done in the garden of the said subprior 2 p.m., 14th May 1557. Witnesses, Dom Rich. Clerk monitor, Alex. Ogilvy in ary, Robert Duri "tecalario," and John Durwart servant of the said subprior. John Ker priest of Glasgow diocese, A.a. N.P. (*H.*)

676. 15th May 1557. Precept of Sasine following on No. 675 granted by John Commendator of Arbroath and the Convent thereof and addressed to Mathew Hamilton of Mylbarne and Thomas Hay of Smeithfeild: at the Monastery of Arbroath 15th May 1557. Witnesses, Wm. Stewart, Alex. Lyell and Wm. Patillok notaries.

Signed Johannes commendatarius de Abirbrothok; Robertus Durward subprior; Johannes logye; Thos. Scot; nycolaus Purwes; Dauid Scot; Alex. Zule; Valterus Baldowy; Joannes Peirsoun: Vmphred Thomsoun; David Blak; Thomas Govinah; Ricardus Craik: Allex. Gyb; Johannes Quhyt; Christopherus Mo——; Dauid Teinder; Joannes Andersoun; Thos. Lyndesay; Nicholaus Hewesoun; Thomas Melwyng. (*H.*)

Seal gone.

677. 23rd May 1557. Instrument of Sasine following on No. 676, 15 May, by Thomas Hay of Smeithfeild, as baillie for the Abbot, to Hugh Creichtone attorney for Wm. Lord Hay of Zeister: Done at Archcarmure 3 p.m. 23rd May 1557. Witnesses, John Dawzell in Myr, Rob. D. his son, John Robsoun in Myir, James Cadder in Dauiddikis and And. Farnle in Terbrex. John Ker notary. (*H.*)

678. 31st August 1557. Charter by George Archdeacon principal of S. Andrews and Commendator of the Monastery of Dumfermling of the order of S. Benedict with consent of the convent thereof to Mr. James Makgill of Nethir Rankelour clerk of the Rolls and Jonet Adamesoun his wife in conjunct liferent and James Makgill their son and apparent heir in fee and heritage and the heirs male of his body, whom failing the nearest heirs male of the said Mr. James, whom failing the senior heir female of the said Mr. James, the lands of Pinckin and Keres (presently held by the said Mr James in assedation for 19 years) lying in our schira and lordship of Mussylburgh and regality of Dumfermling and shire of Edinburgh: To be held of us and our successors in feuferm and heritage reserving the "coul ladewettr and mulierum merchetis": Paying yearly the sum of £23 scots and 16 capon with £16 : 13 : 4 scots of Augmentation and 53s. 4d. to the Master of the boys of the said Monastery, with duplication of feuferm at entry of heirs, and multures at our mill of Mussylburgh, and three suits of head courts to be held in the Tolbooth of Mussylburgh: At the Monastery of D. 31 August 1557. Witnesses, John Pitcarne, Wm. Murray, Andrew Boswell, Masters Sir Adam Kyngorne, Alan Coottes, Peter Dury, Pat. Dury and Rob. Lumsdane. Signed Georgius Commendatarius de dumfermlyn; Johannes baxter prior ad id; Alexr. Atkyn ad Id.; Alexr. Mow ad Id; Thomas Bury ad. Id; Et ego Alexr. Stewin ad. Id; et ego Johannes Scott; Thomas Jameson; Robertus (Lagheid?) ad id; Et ego Alexander Summare; Et ego Jacobus Dundas ad Id.; Et ego Marcus lun ad. id.; Patricius Mason ad. Id.; Et ego Joannes Dury; Et ego Robertus Wr;

Jacobus Reydpeth ad. id. ; Johannes Angus ad. id. ; Robertus Maistertoun ad. Id. ; Et ego Andreas Gray ad. id. ; Jacobus thomsoun ad. id ; Wilelmus Smytht ad. Id. ; Joannes Baxter Et ego Johannes Henrici ad. Id. ; Dns. Willelmus Lumisden.

Seal of Chapter appended, broken.

Endorsed. Apud Edinburgh 29 December 1598. Producit and the minut heirof extractit and rentallit according to the act and proclamation maid yairanent. (*H.*)

Signature illegible.

679. 31st August 1557. Authentic copy on parchment of the foregoing, made and signed by Sir William Lumesdane, Sacrist and Keeper of the Register of the Monastery of Dunfermline. (*H.*)

680. 31st August 1557. Precept of Sasine following on the foregoing, addressed to James Adamsoun, burgess of Edinburgh. At the Monastery of Dunfermline 31 August 1557 ; no witnesses. (*H.*)

Signed and sealed as above. Seal slightly broken.

681. 31st August 1557. Letter of Assedation for the space of 19 years by George Commendator of Dunfermline, etc. to Mr. James M'Gill of Nethir Rankelour, Clerk of Register, James his son and heir apparent, and his assignees of the teind sheaves of Pynking and Kerss and the fish teind of Mussilburtht (as in No. 661) ; Paying for the fish teind £8 scots and the teind sheaves £10 scots yearly ; At the Monastery of D., 31 August 1557 ; no witnesses. (*H.*)

Signed and sealed as above. Seal in fair condition.

681A. 17th January 1557-8. A Charter of Confirmation be queen Marie of a charter maid be umquhill James lo ; flemming to umquhill Jhon lo. flemming his brother of his hail landis and barronries haddin of the King daited 17 Januar 1557. *No.* 5, *Minute of Writes producit be the erle of Wigtoun.* (*H.*)

682. 3rd May 1558. Letter of Presentation by William Lord Hay of Zestir directed to John Archbishop of St. Andrews presenting Schir Andrew Hay, chaplain to the Provestry of the Collegiate church of St. Cuthbert of Bothanis, lying in the barony of Zestir and diocese of St. Andrews, rendered vacant by the death of Mr. Thomas Hay, last provest and possessor thereof, and in the gift of the said William Lord Hay. At Paris in the dwelling house of the Bishop of Orkney 3rd May 1558. Witnesses, Robert Bishop of Orkney, Adam Commendator of Dundrenen, Master —— (*sic*) Chene archdeacon of Scheitland, Thomas Hay of Smithfeild, and William Fogo, notary public. (*M.*)

Seal of William Lord Hay in metal case, complete.

683. 8th June 1558. Instrument of Sasine by Mr. James Lyndesay, baillie of Edinburgh, following on the resignation by Robert Henryson and Alison Meill of their lands in the Cowgate (see No. 664) to their son and heir James H. Done 9 a.m. 8 June 1558 : witnesses, William Stewart, Pat. Barroun, Richard [illegible]mbar and Mr. Alex. Logy, serjeants of the said burgh. Alex. Guthrie, S. [illegible]d. dio., N.P. A.a. (*H.*)

Seal appended, defaced.

684. 4th July 1558. Letter of Presentation by Master John Abircrummry, advocate and burgess of Edinburgh, as special Commissioner of William Lord Hay of Yestir, donator and by gift of the Queen having the ward and nonentry of the lands, annual-rents, etc. of the Lordship of Yestir, with advocation and donation of Provostry of the prebendary of the Collegiate church of Bothanis, in favour of Sir Andrew Hay chaplain, to the said Provostry. Narrating that the said Lord Hay by his special commission ordained James Earl of Morton and Master James Makgill of Rankelour Nether, Clerk Register, to present to the said provostry Thomas Hay his brother, whom failing James Hay, also his brother, and in case of their minority the said Sir Andrew Hay; and that in respect of the said Commissioners neglecting and postponing the said presentation, commission is thereupon given to the said John Abircrummry to make the same; the said Provostry being then vacant by decease of Master Thomas Hay, last provost and possessor thereof: At Edinburgh 4th July 1558. Witnesses, Master Alexander Coustoun, James Young notary public, and Patrick —— (*sic*). (*M.*)

Seal of said Mr. John Abircrummy is appended. Signed Mr. J. Abercrummy wt my hand.

685. 9th July 1558. Notarial Instrument narrating that Master John Abercrumby, advocate and burgess of Edinburgh, and John Hay, brother german of Thomas Hay of Smeithfeild, as having commission from William Lord Hay of Zestir, passed to the personal presence of John Archbishop of St. Andrews in the Vennel called Nudreis Wynd, within the town of Edinburgh, and presented to him the foregoing presentation of Schir Andrew Hay, presbyter, requesting his collation to the Provestry of Bothanis in place of the late Mr Thomas Hay, last provost and possessor thereof. Done in the said Vennel called Nudreis Wynd 9th July 1558. Witnesses, Master William Bayne, Andrew Oliphant, Thomas Gynour and Archibald Hammiltoun. Andrew (*sic*)*El*ephant is notary. (*H.*)

Paper.

686. 20th August 1558. Certified Transumpt before the Lords of Council, 12th December 1611, of the entry in the protocol book of Mr. John Johnstoun, N.P., clerk to the bills of the Session and College of Justice, recording Sasine given by James Adamsoun burgess of Edinburgh to Mr. James Makgill of Nethir Rankelour Clerk of Rolls, following on and transcribing No. 678, 31 August 1557, at the said lands 4 p.m.; witnesses, Rob. Watsoun burgess of Edinburgh, Adam Wauchop, William Cheyne, and Mr. John Gray N.P.

Parchment.

686A. 20th August 1558. Another certified copy on paper. (*H.*)

687. 11th January 1558/9. Assignation by Marie, Queen Dowager and Regent of Scotland, in favour of William Lord Hay of Zestir and his heirs, of the Ward and nonentry of the lands and baronies of Zestir, with corne and walk mills, Ugstoun, one quarter of lands of Linplum, eight husbandlands in Duncanelaw, the lands of Beltoun, with corn and walk mills, lands of Kilpallat, lying in the shire of Edinburgh and Constabulary of Haddingtoun, with the lands and barony of Lochquharrat, Efflekhill and Curry in the said shire, the lands and baronies of Lyne and Hoprew, with mills of Lyne, lands of Edstoun, Jedwartfeld, Megot, Apiltreside, in the barony of Lyne and shire of Peebles, the lands and barony of Olivercastell, Glenrusco and Cokeland, in shire of Peebles, lands and barony of Snaid and Lagane, in the shire of Dumfries, with the office of Sheriffship of Peebles, etc., with the advocation, donation and right of patronage of Kirks, etc. during the said nonentry. With the marriage of the said William

Lord Hay, and failing of him by decease unmarried, the marriage of any other heir or heirs male or female that shall happen to succeed to the said deceased Lord in his lands and heritage; Which ward and marriage was gifted to the said Queen Dowager by her daughter Queen of France by Letter under her Privy Seal of date at Fontanebellaw 29th March last. At Edinburgh 11th January 1558. (*H.*)

Signature of the Queen Dowager and fragment of her seal is appended.

687A. 10th November 1558. Charter by Friar Gilbert Broun, Minister at the Croce Kirk of Peblis, with consent of the Halie Trinitie of Glasgowe undoubted rectoris of the kirk of Kithnes to James Small of the Kirkland of Kethnes with the teinds thereof for £8 with 40d. in augmentation yearly, 10 November 1558.

A sasine following, 2 August 1561, John Robisone notary. Great Seal confirmation following, 24 May 1585. (*Reg. Mag. Sig.* xxxvii. 400.)

A band be the said frair Gilbert Broun and convent of peblis quherby they and theire successoris are bond to subscryve sufficient charteris of the forsaid landis and teindis to the said James Small. *Nos.* 1, 2, 3 *and* 4 *of Kirkland of Kithnes Inventory.* (*H.*)

687B. 17th November 1558. Item ane chartour be James Erle of Mortoune to Mr. George Lawsone of Cairnmuir of the forsaids lands of Schiprige witht the pertinentis to be holdine of the disponer ffor the yeirlie payment of the fewdewtie therein specifeit daittit 17 November 1558. Item ane Instrument of Seasing following upon the forsaid chartour and precept of Seasing therein conteined to the said George Lawsone of the lands abovewrittne daittit 21 Novemeber 1558 under the signe and subscriptione of david Creichtoune notar publict. *Nos.* 40 *and* 41, 1674 *Harcus, Northsheills and Sckiprig Inventory.* (*H.*)

688. 8th April 1559. Charter by Robert Henrysone lanio (*skinner*) burgess of Edinburgh with consent of his wife Alisone Meill to their son James of his tenement and lands, built and waste, and garden before and behind on the north side of the Kowgait, between the lands of And. Mowbray on the West, lands of the heirs of um. William Meill and Thomas Parves smith on the east, the lands or garden of the heirs of um. David Tod and Alex. Zong on the North, and the said street on the south; Libbarton 8 April 1559. Witnesses, Adam Mortoun, Pat. Thomsoun, and Francis Vr burgess of Edinburgh. Signed by R. H. and A. M., their hands led at the pen by William Stewart, N.P. (*H.*)

Both seals awanting.

689. 2nd October 1559. Charter by Francis and Mary, King and Queen of Scots, Dauphin and Dauphiness, confirming No. 678. Witnesses, John Archbishop of S. Andrews, George Earl of Huntlie, Lord Gordoun and Badzenoicth, Chancellor; James Earl of Bothwell, Lord Halis and Creichtoun, Great Admiral of our realm; Donald Abbot of Cupar, Keeper of the Privy Seal; our servants, Masters James Makgill of Rankelour Nether, Clerk of Rolls Register and Council, and Alexr. Levingstoun, Director of Chancery: Edinburgh 2nd October 1559. (*H.*)

Great Seal appended three-quarter whole. (Not in Great Seal Register.)

690. 2nd January 1559/60. Charter by George Commendator of Dunfermline of the lands of Pinckin and Carss, similar to No. 678, but including the place, manor and fortalice, which are not mentioned in the earlier charter and excluded from the tack, see No. 661: Monastery of Dunfermline 2 January

1559. Witnesses, Masters John Pitcarne, William Murray, Andrew Boswell, Sir Adam Kingorne, Alan Cowttis and Peter Durye.

Signed by Georgeus de Dunfermlyn, Thomas Jameson, John Henrisoun, John Angus, Alex. Aitkyn, Mark Lun, And. Gray, Thomas Burne, Alex. Stevin, William Smytht, William Lumisdane, Alex. Huniman. (*H.*)

Small fragment of Chapter Seal still appended.

691. 2nd January 1559/60. Precept of Sasine following on the foregoing addressed to John Vdwart, burgess of Edinburgh. Monastery of Dunfermline 2 January 1559. (*H.*)

Signed and sealed as above.

691A. 17th February 1559/60. Item ane instrument of seasing in favouris of umqle. William Lorde Hay of Zester as air to Jon lorde hay of yester his father proceiding upon a precept following upon a retour furth of the chancellarie of the forsaidis landis and barony (of Lochquharrat) abovewrittin. Daittit the 17 februar 1559, umqle. Jon. Moisman nottar thairto. *No.* 5, 1663 *Locharret Inventory.* (*H.*)

692. 18th February 1559/60. Instrument of Sasine proceeding on a Precept of Clare Constat under the Great Seal, directed to Alexander Mauchen and John Moscrop, sheriffs of Edinburgh in the Constabulary of Hadingtoun, for infefting William Hay as lawful and nearest heir of the late John Lord Hay of Zestir his father in the lands and barony of Yestir, with advocation and donation of the Collegiate church of Bothanis, the lands of (Mains) de Park, lands of Gammylstoun, lands of Gifhartgait, and superiority thereof, lands of Linpluni, with the fourth part in property and the rest in superiority, lands of (Le)thingtoun, lands of Duncanlaw, except the lands mortified to the church, lands of Baro and superiority thereof, lands of Ugstoun and Beltoun, and lands of Gilpallat. Holding of the Crown in chief and taking security of (trigenta vigenti) thirty score pounds of the fermes of the said lands and barony of Zestir, being in the hands of the Crown, for the space of four years, viz. :—one term after the decease of his father, and three years and one term during the not taking of Sasine thereof. And of eighty pounds of relief thereof, and 53 pounds six shillings eight pence of fermes of the lands of Ugstoun, and 13 pounds six shillings eight pence of relief thereof, and of 160 pounds of the fermes of the lands of Beltoun and Kilpallat and of forty pounds of relief thereof. At Edinburgh 10th February 1559/60. Sasine dated 18th February 1559/60. Witnesses, William Bull, Mathew Daill, Norman M'Dougall, (familis) (?) Adam Wauchop of Caikmuir, and John Bukcum serjeant. Thomas Stevin is notary. Alexander Yule of Gamylstoun is bailie and John Dikesoun of Winkstoun is attorney for said William Hay. (*M.*)

693. 19th February 1559/60. Another copy of Instrument of Sasine (No. 692), dated 19th February 1559/60, by Thomas Stevin notary, and to which the witnesses are Nicolas Quhippo of Kydlaw, William Cokburne of Henderland, Thomas Bowtoun, indweller in Zester, and Alexander Lindsay, son of John Lindsay in Zester. (*M.*)

Paper.

694. 19th February 1558/9. Sasine on Precept from Chancery in favour of William now Lord Hay of Zester, as lawful and nearest heir of the late John Lord Hay of Zester his father, in all and whole the lands and barony of Zester, with advocation and donation of the Collegiate church of Bothanis, the lands

of Mains of Park, Gammylstoun, Giffartgate, Linplum, Ledingtoun, Dunkenlaw, Ugstoun, Beltoun and Gilpallat, etc., in terms as in No. 692 Precept, dated at Edinburgh 10th February 1559/60. Sasine on 19th February 1559/60. Witnesses as to No. 693. (*M.*)

695. 19th February 1559/60. Instrument of Sasine given by Alex. Zule of Garmiltoun to John Dikesoun of Winkestoun, attorney for Wm. Lord Hay of Zester, following on and narrating a Precept of Sasine from Chancery, 10 February 1559, addressed to Masters Alex. Mauchane and John Moscrop, sheriff of Edinburgh in the constabulary of Haddington *in hac parte*, for infefting William Lord Hay of Zester as heir to his father John in the barony of Zester, etc. (see *supra*). Done at Beltoun between 2 and 3 p.m. 19 February 1559: Witnesses, John Lindsay, dweller in Zester, Hugh Hoy, Duncan Grant in Beltoun, James Hay, brother german of the said Lord, Rob. Douglas, servitor of Margaret Levingstoun, relict of John Lord Hay of Zester, and John Bukcum, officer of said constabulary. Thomas Stevin, priest S. And. dio., N.P. A.a. (*H.*)

696. 27th February 1559/60. Instrument of Sasine given by Wm. Vache, sheriff depute, to John Dikesone, junior, of Vinkestone, attorney for Wm. Lord Hay of Zester, following on Precept of Sasine from Chancery 10 February 1559 addressed to Masters Alex. Mauchane and John Moscrope, sheriffs of Peebles *in hac parte*, following on Retour of said Lord to his father John in Peebleshire lands dispensing of his non-age: 27 February 1559: Witnesses, Thomas Tuedy, servitor of said Lord, John Lowe senior, Nic. Vache, John La, John Patersone, Ric. Vache, James Patersone, ygr., of Caverhill, Rolland Scott, baillie of burgh of Peeblis.

Extract made from the protocols of the late John Allane, N.P., 10 October 1586, before James Twedy and Pat. Dikesone, baillies of Peeblis, by Andrew Dikesone, N.P., Town Clerk of Peebles, and David Creichton, co-notary. (*H.*)

697. 13th August 1560. Certified Copy Retour of Inquest held in the Tolbooth of Edinburgh 13th August 1560, before Masters Alexander Mauchane and John Moscrop, sheriffs in that part of the Sheriffdoms of Dumfries, Peblis and Edinburgh within the Constabulary of Haddingtoun, by the following persons, viz.:—James Twedie of Drummalzear, William Wacht of Kingisyde, John Haldane of that Ilk, Robert Scott bailie of Peblis, Patrick Twedie in Kirkland, John Ker of Phairnyhirst, Knight, Adam Kirktoun of Stewartfeild, Master George Ker of Cavers, Rodolph Ker of Lintolie, Robert Ker of Wodeheid, John Creichtoun of Ryhill, John Charteris of Hempisfeild, Andrew Cunynghame of Byrkschaw, Alexander Zule of Garmiltoun, and Adam Wuchope of Caikmure, for serving William now Lord Hay of Zester as lawful and nearest heir of the late John Lord Hay of Zester his father, in the lands and barony of Snaid, in the shire of Dumfries, the fourth part of the lands of the town and territory of Blans, in the Constabulary of Haddingtoun and shire of Edinburgh, and the lands of the barony of Lyne and Wester Hoprew and lands of Jedwartfeild, with office of sheriff of the sheriffdom of Peblis, lying in the shire of Peblis; Which lands of Snaid were valued at forty pounds yearly and in time of peace twenty pounds scots. The said lands of Blans at four pounds and in time of peace forty shillings. The lands and barony of Lyne and Wester Hoprew at twenty pounds and in time of peace ten pounds, and the said lands of Jedworthfeild and office of Sheriffship at ten merks and in time of peace five merks. And which lands, etc. Hold in chief of the King as follows, viz.:—The lands of Snaid, Lyne and Wester Hoprew by service of ward and relief, the lands of Blans in free blench ferme for payment of "lie braid arow" at the feast of St. Peter, and the land of Jedworthfeild with sheriffship, in free blench ferm for yearly payment of one penny; And that the said lands were in the King's hands since the month of August 1559 by reason of nonentry; and

from the decease of the said John Lord Hay of Zester, who died in the month of January 1555, by reason of the minority of the said William Lord Hay. (Copy certified by A. Scott.) (*M.*)

Paper.

697A. 10th October 1560. Letter by James Earl of Mortoun, Lord of Dalkeytht, consenting to the intromission by Mr. James M'Gill of Rankelour Nether, Clerk of Register, of the lands of Pinkene and Kerss, held by him and spouse in liferent and his son and apparent heir James M. in fee of the Abbot and Convent of Dunfermling, and also of the teinds of the said lands and teynd fische of Mussilburtht schyre, pertaining to him and his said son in assedation: Edinburgh 10 October 1560; witnesses, Wm. Chene in Edinburgh and George Gib of Lumphoy. (*H.*)

Signed "Mortoun." Paper.

698. 23rd October 1560. Instrument of Sasine given by Robert Creychtoun in Craufurdtoun, sheriff Depute of Dumfries, to John Dikkesoun, attorney for Wm. Lord Hay of Zester, following on a Precept of Sasine from Chancery, 19 August 1559, following service before Masters Alex. Mauchane and John Moscrop, sheriffs of Dumfries *in hac parte*, of said Wm. to his father John Lord Hay of Zester in the barony of Snaid, security to be taken for £220 of fermes of said barony, in the King's and Queen's hands for 4 years and 1 term by reason of ward until August last, and since then through sasine not being received: Done at Snaid 3 p.m. 23 October 1560. Witnesses, Andrew Cunynghame of Dardarroch, And. M'Gowne in Snaid, and Deinfro Fynnand there. Eustace Creychton, clerk of Glasgow diocese, N.P. A.a. (*H.*)

699. 23rd October 1560. Duplicate of the foregoing. (*H.*)

700. *C.* 1560. Rental buik of Hadingtoun to know the aikeris of the provestre of bothanes by it. See *Scottish Historical Review*, Vol. x, p. 377, where it is printed in full. (*H.*)

701. 14th March 1560/1. Instrument of Transumpt by Adam Wilsoun, Provost of Haddington, at the instance of William Hay of Tallo; having summoned—as having special interest—John Sinclair of Blans, David Sinclare his son, Sir William Cokburn, chaplain, Alexander Barnis, burgess of H., Walter Cokburn and Symon Cokburn to compear in the Tolbooth of Haddington, 14th March 1560, of a Protocol (see No. 531) from the Protocol Book of um. Alexander Symsoun, senior, N.P. and late Clerk of Haddington, now in the possession of Sir Rob. Simsoun, Dean of the Christianity of Haddington; Done in the Tolbooth of Haddington, 12 midday 14th March 1560. William Hay, procurator for said W. H. of Tallo. Witnesses, Sir Rob. Symsoun, Dean of the Christianity of Haddington, Thomas Spotiswod, burgess of Haddington, Peter Cambell and Pat. Martyne and Pat. Reidpethe, serjeants. Thomas Stevin, priest S. And. dio. N.P. A.a. See M.S. *Protocol Book of Alexander Simson*, 1529–1544, folio No. 87*b*. Town House, Haddington. (*H.*)

702. 2nd July 1561. Commission by Raynutius Cardinal of S. Angelo to the Dean of Restalrig and the Provosts of the College Kirks of Holy Trinity, near Edinburgh and Corstrophin, to examine and confirm the Charter of Pinkie (see No. 678); St. Peter's, Rome, VJ. Kal. Jul. Pont. Pope Pius IV. anno secundo (2 July 1561). (*H.*)

A vesica shaped seal has been appended by a hempen cord. The metal case only remains.

703. 8th July 1561. Instrument of Sasine by Thomas Tait, baillie of the burgh of Musselburght, in virtue of his own office and by mandate of the other baillie, George Newtoun, and the burgesses, to John Tempill, senior burgess of said burgh, of a waste piece of the burgh's territory lying in the Saultoun Greene, extending in frontage to 2 roods and in depth to 40 ells, between the waste land of John Tempill junior on the north, the common vennel on the south, and the public streets on the north and south ; 11 a.m. 8th July 1561 ; Witnesses, Thomas Thomsoun, Peter Zoungar, James Smart, Ric. Calderwode, Thomas Calderwode, Alexander Sawerman, Edw. Tait, Ric. Sandersoun, John Vaicht, and Wm. Smythe serjeant, Gavin Walker, priest S. And. dio. N.P. A.a. (*H.*)

Seal of Thomas Tait appended.

704. 30th October 1561. Charter by the Baillies of the burgh of Mussilburght to John Tempill senior of a waste piece of land, fore and back, of the burgh's territory extending in frontage to 2 roods and in depth to 40 ells, lying in the Saultoun Greine between the common vennel on the south, the waste land of John Tempill junior, his brother german, on the north, the public streets on the east and west ; To be held of the Lord of Dunfermling ; Paying to the said Lord the usual royal firm and to the said burgh 8 shillings yearly ; Mussilburght, 30th October 1561 ; witnesses, John Wache, Thomas Zounger, Thomas Craig, Thomas Andersoun, Ric. Calderwode, Edw. Tait, Henry Adamsoun, Wm. Baxter jun., John Waycht, Richard Prestoun Quhithill (*sic*) and Thomas Tait, Baillies. (*H.*)

Seal of burgh appended in fair condition.

705. —— 1561. Charter by Robert, Archdeacon principal of S. Andrews and Commendator of Dunfermling, legalizing the purchase by um. Sir John Boiswell, sacrist and monk of our monastery of D., of a tenement of land lying in the burgh of D. in the Maijgait between the tenement of the heirs of um. John Finlawsone on the West, the road which passes under the wall of the monastery on the East, the cemetery of the Parish Kirk on the south and the said Maij gait on the North, by licence of our predecessor George Commendator of Dunfermling, although contrary to the Monastic vow ; and the gift thereof by the said Sir John to his cousin Andrew Boiswell, son of John B., burgess of said burgh ; and the disposition by him thereof to James Murray of Cassiltoun, brother uterine of Wm. Murray of Tullybardin, knt., in favour of the said James Murray and his heirs ; Monastery of Dunfermline —— 1561.

Signed Robertus Pitcarne. (*H.*)

Seal gone.

705A. 14th February 1561/2. Item ane gift of the waird and mariage of Wm. Tuedy of Drummelyear, subscribed by Marie Queen of Scottis at Edr. 14th ffebruarij 1561 yeirs. *No.* 28, 1674 *Drumelzier Inventory.* (*H.*)

706. 10th May 1562. Instrument of Redemption by William Hay of Tallo narrating that he had received from Johne Dikesoun of Melvingland, as procurator for William Lord Hay of Zester, the sum of 220 merks for redemption of three husband lands of the lands of Dunkenlaw, lying in the town and territory thereof, Sheriffdom of Edinburgh and Constabulary of Haddingtoun ; sold by the late John Lord Hay of Zester to the late William Hay of Tallo, under reversion containing the said sum : And that the said William Hay, now of Tallo, also received from the said procurator a tak of the said lands for the space of ten years at the annual duty of five bolls meill, three bolles beir and 26 shillings 8 pennies ; of date 10th May 1562. Instrument dated 10th May 1562. Witnesses, John Lindsay in Dunkenlaw, Mr. Edmund Hay, advocate, William Hay, son of the said William Hay of Tallo, Thomas Spottiswod, burgess of Haddingtoun, John Clark, Gilbert Wauchope, and John Alan, notary public. Thomas Stevin is notary. (*M.*)

707. 10th May 1562. Instrument of Redemption by William Hay of Tallo narrating that he had received from John Dikesoun of Melvingland, as procurator for William Lord Hay of Zester, the sum of 240 merks, for redemption of a quarter of the lands of Linplum, called Maxwellis quarter, lying in the barony of Zester, sheriffdom of Edinburgh and Constabulary of Haddingtoun, sold by the late John Lord Hay of Zester to the late William Hay of Tallo upon a reversion containing the above mentioned sum. And that he had received from the said procurator a tak of the said lands for seven years from the date hereof, for the yearly payment of four pounds. Dated 10th May 1562. Instrument dated 10th May 1562. Witnesses as in No. 706. Thomas Stevin is notary. (*M.*)

708. 10th May 1562. Instrument of Redemption narrating that William Hay of Tallo received from John Dykesoun of Malvingland, as procurator for William Lord Hay of Zester, the sum of 220 merks in gold and silver money of Scotland, for redemption of three husband lands lying in the town and territory of Dunkenlaw, in the shire of Edinburgh and Constabulary of Haddingtoun, sold to the late William Hay of Tallo, father of the foresaid William Hay of Tallo, by John Lord Hay of Zester, grandfather of William, now Lord Hay of Zester, under reversion containing the said sum; and that the said William Hay, now of Tallo, received from the said procurator a letter of Tak of the said husband lands for the space of ten years. Letter of tack and instrument dated 10th May 1562. Witness to the latter are, Mr. Edmund Hay, advocate, John Lindsay in Dunkenlaw, William Hay, son of the said William Hay of Tallo, Thomas Spottiswod, burgess of Hadingtoun, John Clark, Gilbert Wauchop, and John Alan, notary public. Thomas Stevin is notary. (*M.*)

709. 20th December 1562. Disposition by William Lord Hay of Zestir to Gilbert Hay, son and heir of umquhile George Hay of Mynzeane, his heirs and assignees, of the nonentry maills, profits and duties of the lands of Mynzeane, lying in the barony of Olivercastell and shire of Peebles, of all years that the same has been in his hands as superior thereof, by reason of nonentry, through decease of the said George or of umquhill Mr. George Hay, gudschir to the said Gilbert, immediate tenant to the superior thereof, and during the space of five years next hereafter, with the relief thereof when it shall happen; and granting to the said Gilbert his "licence gudwill and benevolence to Marye and alliaye him selff quar he thinkis maist expediend and proffitable, nochtwithstanding ony our requisition or offerring of partie be ws to him of befoir." At Edinburgh 20th December 1562. Witnesses, Maister James M'Gill of Rankelour Nether, Clerk of the Register, Sir William Cranstoun of that Ilk, Knight, and John Fentoun. (*M.*)

Paper.

710. 11th December 1563. Extract Decreet, Edr. 11th December 1563, by the Lords of Council underwritten, James Earle of Mortoun Chancellor, Wme. Erle Marschell, Henrie bischop of Ross, Wme. Bischope of Dunblane, Mr. Abrahame Creichtoun, Provost of Dunglas, Mr. Wme. Baillie, lord Provand, Mr. John Stevinsoun, chantoure of Glasgow, Mr. Alex. Dunbar, subchantoure of Mwray, Mr. Jas. balfour, persone of Flisk, Mr. Jas. Makgill of Rankelour nether, clerk of Register; Schirris Richart Maitland of Lethingtoun, Robert Carnagy of Kynnard, Johnne Bellenden of Auchnoule, Justice Clerk; knts., Mr. Johnne Spenss of Condie, advocate to the Quene, Mr. Henrie Balnaves of Halhill; Wme. Maitland, zounger of lethingtoun, secretare to oure souerane ladie, and Mr. Johnne Gledstanis, Licentiat in the Lawis, In the action by Wm. Lord Hay of Zeister against Masters George Strang and Alex. Mauchane, pretendit sheriffs of Peebles in that part specially constitute, and Dame Margaret Levingstoun, relict of John Lord Hay of Zeister, Anent a precept dated 17th June 1562, issued by them at her instance for alleged postponing payment of

her third of Eister Hoprew due these last 6 years ; the said parties being personally present, except M. L. compearing by her procurator, Mr. Ric. Strang ; Decerning that the said M. L. has no claim to the third because her husband sold one half of Eister Hopprew to Marioun Loth and the other to James and Hew Lindesay in 1561, having been seized therein himself in 1544 and 1564-5 Extracted by Mr. Jas. Makgill, clerk of Rolls, Register and Council. (*H.*)

710A. 27th March 1564. A renunciation be Johne Nisbit of fernilaw and Johne Nesbit of restible of the tack quhilk wer maid to thame of the teindes of beltoun in favouris of William Lord Hay of Zester regrat. in ye towne bukis of Edr. ye 27 of Merche 1564. *No.* 45, 1619 *Beltoun Inventory.* (*H.*)

711. 5th April 1564. Instrument upone the Warning by Thomas Tuedy, Captain of Neidpeth, as procurator of Wm. Lord Hay of Zester, baron of Snaid, to Andrew Wilsoun in Airdis to compear In to the paroche Kirk of Tynrone withtin the sherefdome of drumfreis upone witsone evein nixtocum, viz. the XX day of May, and receive upone S. Cuthbert's altar or the place where it stood the sum of £120 in redemption of annual-rent of 9 merks from the lands of Laggane and Conisoun. Done in the house of said A. W. in Ayrdes, 7 a.m., 5th April 1564 ; witnesses, Andrew Cwnynghame in Birkschaw, Rob. C. his brother, John Greirsoun in Pundland, John Tailzeour, priest Glasgow dio. N.P. A.a. (*H.*)

712. 20th May 1564. Discharge by way of Instrument by Andrew Wilsoun, senior, in the Ardis, for £120 from John Dikkesoun of Melvingsland, procurator for Wm. Lord Hay of Zester, in redemption of an annualrent of 9 marks from the lands of Laggane, etc. (see No. 711) ; Done in the Parish Kirk of Tynroun, 1 p.m., 20th May 1564 ; Witnesses, Andrew Cunyngham in Birkschaw, Rob. C. his brother german, Thos. Tuedy, Herbert Moffet, John Welsche in Conustoun, John Lauder, priest Glasgow Dio. N.P. A.a. (*H.*)

712A. 20th June 1564. A precept of seasing grantit be Wm. Lo. Hay of Zester to Jhone lord fleming, brother germane to James Lo. fleming, of the landis of glencottho and quarter chapell, 20th of June 1564.

Ane instrument of seasing following theirupon given be Dunken Aikman, noter, upon the 13 day of september 1564. *Nos.* 1 *and* 2, *Minute of Writes producit be the erle of Wigtoun.* (*H.*)

713. 28th June 1564. Precept of Clare Constat by William Lord Hay of Yester, baron of the Barony of Olivercastell, directed to Gilbert Wawchop and John Dikesone, bailies, in favour of Gilbert Hay as lawful and nearest heir male of the late *George*[1] Hay of Mynzeane, his grandfather, for infefting the said Gilbert in the lands of Nether Mynzeane, lying in the barony of Olivercastell and shire of Peebles. At Edinburgh 28th June 1564. Witnesses, Master James M'Gill of Rankelour Nether, Thomas Ker of Pharnyherst, Adam Bell in Smetoun, Patrick Twedy, uncle of the Laird of Drummelzear. (*M.*)

Seal of the granter in good condition is appended.

714. 20th July 1564. Instrument of Sasine given by Mr. John Spens, baillie of Edinburgh, following on the resignation by Alex. Zoung, grandson (nepos) and heir of um. Alex. Zoung, notary and burgess of Edr., in favour of himself and his wife, Elizabeth Galbraith, etc., of the lands, namely, the fore and back land, high and laigh with the garden of the said um. A. Z. (which once pertained to Alex. Jhonnstoun), lying on the south side of the High Street below the Netherbow and within the tenement of um. David Tod, between the lands

[1] He is not designed Mr. in original.

of the said um. D. Tod on the south and north, the lands of um. Rolland Trumbill on the west, and the lands of the said um. A. Z. on the east ; and also the built and waste lands and garden of said um. A. Z. (once belonging to um. John Zoung and Joneta Reidpeth his wife, and afterwards to um. Alain Zoung, John's brother and heir), lying within the tenement of um. Henry Swift ; Done 6 p.m. 20th July 1564 ; witnesses, John Home of Blakater, George Towris of Innerleytht, Gilbert Lauder and John Fergesoun, burgess of Edinr., Alex. Guthre, chief clerk of the community of Edinr., N.P. (*H.*)

Note.—No pope's name nor indiction given.

715. 28th August 1564. Charter by William Master of Ruthven, with consent of Patrick Lord Ruthven, his father, his lawful curator and administrator, in favour of John Bellenden of Auchnowll, Knight, in liferent or free tenement, and Ludovick Bellenden, his son and heir apparent, and his heirs and assignees, of his lands of Mervingstone, lying in the barony of Beltoun, shire of Edinburgh and Constabulary of Hadingtoun. Holding to the said John Bellenden in liferent and to the said Ludovick his son and the heirs to be procreated lawfully of his body, which failing, to the heirs male of the said John's body, which all failing, to the lawful and nearest heirs of the said Ludovick whatsoever, or assignees of Sir Robert Oistler, chaplain of the chaplainry of Halyburton, and his successors, in feuferme, for yearly payment of twenty pounds, three shillings four pennies scots and eight bolls "avenarum" ; The heirs of the said Ludovick and John respectively doubling the feu duty the first year of their entry At Edinburgh 28th August 1564. Witnesses, James Somervell in Humbie, Edward Youngar, Master George Bellenden and John Grahame. Mr. Thomas Bannatyne and John Graham are bailies. (*M.*)

Fragments of the seals of the granter and his father are left appended.

715A. 29th August 1564. Charter by Sir Robert Ostlar, chaplain of the chaplainry of Halybertoune, confirming Charter by William Master of Ruthven with consent of Patrick Lord Ruthven, his father, and lawful curator and administrator, in favour of John Bellenden of Auchnoull, Knight, in liferent, and Ludovick Bellenden, his son and heir apparent, his heirs and assignees, of the lands of Mervingstoun, lying in the barony of Beltoun, shire of Edinburgh and Constabulary of Hadington (see No. 715). Charter dated at Edinburgh 28th August 1564. Confirmation dated at Edinburgh 29th August 1564. Witnesses, William Master of Ruthven, Mr. George Bellenden, precentor of Glasgow, Edward Zoungar and John Grahame, notary public. (*M.*)

Seal of granter complete.

716. 1st September 1564. Instrument of Sasine following upon Charter (No. 715) by William Master of Ruthven with consent of Patrick Lord Ruthven, his father, in favour of John Bellenden of Auchnoule, Knight, in liferent, and Ludovick Bellenden, his son and heir apparent, of the lands of Mervingstoun. Sasine dated 1st September 1564. Witnesses, William Allane, serjeant of the Sheriffdom of Edinburgh, Adam Newtoun in Mervingstoun and Bartholomew Davidsoun in Kidlaw. Mr Thomas Bannatyne is bailie and James Millar is notary. (*M.*)

717. 3rd December 1564. Charter by William Lord Hay of Zester in favour of Margaret Ker, his spouse, in liferent of his lands of Ugstoun, lying in the shire of Edinburgh and Constabulary of Hadingtoun, and his four husband lands called Swendenlands, lying in the barony of Duncanlaw, shire and Constabulary foresaid. Holding from the granter of the Queen in free blench ferme ; for the yearly duty of two pennies scots. At Edinburgh 3rd December 1564. Witnesses, John Dickesoun of Melvinisland, Gilbert Wauchope, John Ramsay and Richard Crychtoun. (*M.*)

Seal of granter slightly broken.

718. 3rd December 1564. Charter by William Lord Hay of Zester in favour of Margaret Ker, his spouse, in liferent of his lands of Hopprew, lying in the barony of Lyne and Hopprew and shire of Peblis. Holding from the granter of the Queen for yearly payment of two pennies scots in name of blench ferme. At Edinburgh 3rd December 1564. Witnesses, John Dickesoun of Melvynnisland, Gilbert Wauchope, John Ramsay and Richard Crychtoun. (*M.*)

Seal of granter slightly broken.

719. 28th December 1564. Charter by Alex. Zoung, grandson and heir of um. Alex. Z., writer and N.P., with consent of his wife Eliz. Galbraith, to Nigell Layng, Keeper of the Signet, and his wife Eliz. Danzelstoun of his waste lands, etc. with gardens within the tenements of the heirs of um. Dav. Tod and Mr. Thos. Marioribankis on the south side of the High Street, etc., Edinr., lying between the tenement of Dav. Stevinsoun on the west and the said lower port (Netherbow) on the east; a waste land, etc. in the said tenement between the laigh land of said um. D. Tod, "*transparte*" of the close of S. Marie Wynd on the east, lands of um. —— Scheresmytht and Wm. Meill now of the heirs of um. Rob. Hendersoun on the south, and the lands of said D. Tod on the west; and also the house of the granter's said grandfather, A. Z., in the tenement of D. Tod; Edinburgh, 28th Dec. 1564; witnesses, Jas. Roger, Jas. Dempster, Jas. Samson and Wm. Calderwood. (*H.*)

Signed by the granter and his wife, her hand led by Alex. Guthre, notary.

720. 28th December 1564. Instrument of Sasine following on the foregoing given by David Forester, baillie of Edinburgh; Done 11 a.m. 28th December 1564; Witnesses, Wm. Calderwood, Jas. Roger, Jas. Symsoun, and Matthew Mure, sergeant of said burgh, Alex. Guthre, town clerk of Edr., N.P. (*H.*)

Seal of bailie appended in good condition.

721. 28th December 1564. Duplicate of the foregoing. On the lower part of the parchment is engrossed another instrument of sasine, a duplicate of No. 755. (*H.*)

Bailie's seal gone.

722. 31st December 1564. Receipt by Sir Thomas Ker of Phairnyhirst, knt., to William Lord Hay of Zester for 300 marks scots to be repaid before next Whitsunday; Edinburgh, 31st December 1564; Witnesses, John Dikesoun of Winkestoun, Gilbert Wachop, Rob. Zoung, Adam Hoppringill and Wm. Paterson, notary. Signed "Thomas Ker of farneherst." (*H.*)

723. 24th February 1564/5. Assignation by way of Instrument by John Cessurd, son and heir of um. John C., dweller in Crammalt, with consent of his uncle Wm. C., to Wm. Lord Hay of Zester of a sum of 300 merks due by um. Mr. Thos. Hay, provost of Bothanes, to said um J. C., as acted in the Books of the Commissary of Stobo, mention being made of Eliz. Hay Lady Bass, executrix of said um. Mr. T. H.; Done in the room of said Lord in the Tower of Neidpeth, 3 p.m. 24th February 1564; Witnesses, John Dikesoun of Melvingland, Gylbert Vachop, Thos. Tuedy and John Dikesoun N.P., John Dikesoun, clerk Glasgow dio. N.P. A.a., and by admission of the Lords of Council. (*H.*)

724. 4th April 1565. Charter by Ludovick Bellenden, son and heir apparent of John Bellenden of Auchnowle, Knight, Clerk of Justiciary, fiar of the lands underwritten, with consent of his said father, in favour of William Maitland,

younger of Ledingtoun, Secretary to the Queen, and the heirs male of his body lawfully procreated or to be procreated, which failing to the lawful and nearest heirs male of the said William whatsoever, bearing the arms and sirname of Maitland, of the lands of Marvinstoun, lying in the barony of Boltoun, shire of Edinburgh and Constabulary of Haddingtoun; Holding from the granter of Sir Robert Ostlair, chaplain of the chaplainry of Halybrunton, in feuferme for yearly payment of twenty pounds three shillings four pennies scots and eight bolls oats, and doubling the said feuduty at the entry of each heir. At Edinburgh 4th April 1565. Witnesses, Henry Kincaid, Charles Douglas, James Purdy and John Grahame, servitors to said John Bellenden. Richard Cranstoun of Skaittisbusk is bailie. (*M.*)

Seal of granter complete.

725. 4th April 1565. Obligation by Sir John Bellenden of Auchnowle, Knight, binding himself in respect of the minority of Ludovick Bellenden, his son, to warrand the lands of Marvingstoun, conveyed by the foregoing charter, to the said William Maitland, younger of Ledingtoun, and to cause the said Ludovick ratify the same on attaining his majority. At Edinburgh 4th April 1565. Witnesses same as to charter. (*M.*)

Seal of granter broken.

726. 6th April 1565. Charter of Confirmation by Sir Robert Ostlair, chaplain of the chaplainry of Halybrunton, as superior, confirming the foregoing charter (No. 724) by Ludovick Bellenden to William Maitland, younger of Ledingtoun, of the lands of Marvingstoun. Confirmed at Edinburgh 6th April 1565. (*M.*)

No witnesses. Seal of granter complete.

727. 12th April 1565. Charter by William Maitland of Ledingtoun, younger, Secretary to the Queen, in favour of Richard Cranstoun of Scadisbusk, his heirs and assignees, of the lands of Marvinstoun, lying in the barony of Boltoun, shire of Edinburgh and Constabulary of Hadingtoun. Holding of the granter in fee and heritage for ever; for yearly payment to him of one penny scots, and to Sir Robert Ostlair, chaplain, and his successors chaplains of the chaplainry of Halibruntoun, twenty pounds three shillings four pennies scots and eight bolls oats in name of feuferme, and doubling the said feuduty at the entry of each heir. At Edinburgh 12th April 1565. Witnesses, Master Robert Maitland, vicar of Kynnarnie, George Hume, younger of Broxmouth, John Cheisholme and Thomas Cowie, servitors to the granter. (*M.*)

Seal of granter broken.

728. April (?) 1565. Charter by Sir Robert Ostlair, chaplain of the chaplainry of Halybruntoun, confirming the foregoing charter (No. 727) by William Maitland, younger of Ledingtoun, to Richard Cranstoun of Scadisbus, of the lands of Marvingstoun. Confirmation dated at —— the —— day of —— 1565. Witnesses, Edward Zoungar, Sir Henry Zare, chaplain, Andrew Ruthven. (*M.*)

Seal of granter complete.

729. 12th April 1565. Instrument of Sasine following upon No. 724, 12th April 1565; Witnesses, Patrick Newtoun, son of Adam Newtoun in Mervingstoun, John Chaplen there, William Hume in Newlandis, George Bartrem there, George Wait in Snawdoun and George Diksoun, younger, Carfra. Richard Cranstoun of Skaittisbusk is bailie, Sir William Cranstoun, vicar of Legartwod, is attorney for said William Maitland, and Thomas Stevin is notary. (*M.*)

730. 25th April 1565. Sasine following upon No. 727, 25th April 1565; Witnesses, Adam Newtoun in Mervingstoun, Philip Polwart there, William Smyth there, David Thomsoun there, David Kennite, indweller in Edinburgh, Gregory Daill and John Newtoun, son and heir apparent of George Newtoun in Newtoun. William Newtoun of Newtoun is bailie and Thomas Stevin is notary. (*M.*)

731. 16th July 1565. Precept of Clare Constat by Robert Dowglas, perpetual Vicar of the parish Kirk of Stobo, superior of the underwritten lands, addressed to Jas. Nobill and John Sibbald to give sasine to Rob. Alexander as heir male of his brother german um. Thos. A. of the 40s. Kirkland of Wester Hopprew in the barony of Hopprew, Peebleshire; Corstrophin, 16th July 1565; Witnesses, Thos. Cranstoune, Hendry Forester and Mr. Jas. Quhyt. (*H.*)

Signed and seal appended, defaced.

732. 23rd July 1565. Charter by William Lord Hay of Zester, baron of the barony of Olivercastell, in favour of Gilbert Hay of Mynzeane and Alisone Douglas his wife, and the survivor of them in conjunct infeftment, and the heirs male lawfully procreated or to be procreated between them, which failing to the lawful and nearest heirs male of the said Gilbert according to the tenor of the ancient infeftments formerly made to the predecessors of the said Gilbert, which all failing to revert to the granter and his heirs, of the lands of Nethir Mynzeane, lying in the barony of Olivercastell and shire of Peblis, on resignation by the said Gilbert. Holding of the granter in fee and heritage for ever. At Edinburgh 23rd July 1565. Witnesses, Adam Wauchope of Caikmuir, William Hay of Scheillis, Robert Wauchop, son of the said Adam of Caikmure, Gilbert Wauchope, also son of the said Adam, and Thomas Keid. (*M.*)

The granter's seal is appended in good condition.

733. 15th August 1565. Instrument of Sasine following upon Precept by William Lord Hay of Zester, directed to William Tait, indweller in Zorkstoun, his bailie, following on No. 732. Thomas Thorbrand by Letter from the chapel Royal is received as attorney for the said Gilbert Hay, which letter is dated at Edinburgh 30th July, 23rd year of the reign of Queen Mary (1565). Sasine dated 15th August 1565. Witnesses, John Fryssall, indweller there (Nether Mynzeane), John Frisall, his son, Thomas Marschall, royal serjeant, and John Dikesoun, notary public. (*M.*)

734. 8th February 1565/6. Charter by Sir George Reid, perpetual Vicar of the Parish Kirk of Hadingtoun, with consent of his ordinary, John Archbishop of S. Andrews, and the commendator and convent of the Monastery of S. Andrews, rectors of the said kirk of H., of his garden, tenement and the building beside it now destroyed called the Vicars Orchard, lying on the west side of the cemetery of the Parish Kirk of H. between the Byris orchard on the south, Poldrait on the west and the Frier Croft on the north, to Mr. Alex. Forrest, rector of Logy Montrois, in liferent and in fee to his son James and his heirs male of his body, whom failing to George, second son of the sd. Mr. Alex. etc., whom failing to the heirs and assignees of said Mr. Alex.; to be held of the said Vicar and his successors paying 20s. scots yearly, which garden was first set in feuferm to Thos. Spottiswod, burgess of H., and disponed by him to the said Mr. Alex. Forrest as an instrument, dated 3rd September 1565, by Mr. Geo. Cok, N.P., bears witness; St. Andrews, 8th February 1565, witnesses, Mr. John Bonhill, Sir Cuthbert Marscheall and David Forrest. Signed "Joannes archieps Sancti Andree." "Dns. George reid vicarius de haigthon." (*H.*)

Three seals have been appended; 1. Sir G. R., defaced; 2. The Archbishop, in fair condition; 3. The chapter seal, now awanting.

735. 7th March 1565/6. Instrument on the Resignation of the lands of Marvingstoun in the barony of Boltoun, constab. of Haddington, shire of Edr., by Richard Cranstoun to his superior, William Maitland of Ledingtoun, ygr., Secretary to the King and Queen, and his resignation of them to his superior, Sir Robert Ostlair, chaplain of Halyburtoun, who resigned them back to W. M., who in his turn resigned them again to Cranstoun ; Done in the cubicle of the said William in the Royal Palace near Edinburgh, 10 a.m. 7th March 1565-6 ; witnesses, Mr. Robert Maitland Dean of Aberdeen, Mr. Thos. Gardin his servant, Geo. Home, ygr. of Broxmouth, and David Balfour, servants of the said Wm. Cuthbert Hendersoune, N.P. (*H.*)

736. 8th March 1565/6. Charter by Sir Robert Ostlair, chaplain of Halibruntoun, with consent of Pat. Lord Ruthven, patron of the said chaplainry, to Wm. Maitland, ygr. of Ledingtoun, Secretary to the King and Queen, his heirs male, etc., of the lands of Marvingstoun in the barony of Boltoun, shire of Edr. and constab. of Haddington, yearly rental £20 and 8 bolls "*avene*" ; To be held of the said chaplain and his successors, Paying yearly £20 : 3 : 4 and 8 bolls "*avene*" or 5s. 4d. for each boll ; containing precept of sasine direct to Thos. Cokburne of Newhall ; Edinburgh, 8th March 1565 ; witnesses, Edward Zounger, Sir Henry Zare, chaplain, and Andrew Ruthven. (*H.*)

Signed by Ostlair and Lord R. Seal of O. appended in fair condition, Lord R.'s gone.

737. 4th April 1566. Letters by Wm. Lord Hay of Zester appointing Jhone Dikesoun of Winkstoun, ygr., and Wm. Twedye, baillies of his lands of Athcarmure with power to hold courts, etc., and especially in an action by Thos. Russell and Rob. Russell against Wm. Mathe repledged from the Sheriff Court of Lanark to the Baron's Court of Athcarmure : Bothanis, 4th April 1566 ; Witnesses, Rob. Creichtoun, Pat. Twedy and Wm. Twedy. (*H.*)

Signed and signet with simple arms of Hay, impressed on paper upon wax.

738. 5th April 1566. Rollment of Court of Barrony of Athcarmur held at Alanton by Wm. Twedie, baillie, Robert Fischer, clerk, Andro Farlie, officer, and John Elder, demster. Wm. Mathe alledged that Rob. and Thos. Russell pursued him in the sheriff court of Lanark.

Jas. Kedd ordained to pay Jas. Melwing 18sh., John Dalzell and John Robesone, elder, Thos. Martyne and John Forrest to refrain from an action. John Hamilton of Orbistoun by vertue of a commission from my lord Arbroath having repledged Wm. Mathe out of the Sheriff court (of Lanark) required this court to take action, but the baillie replied that it was not convenient, being past 12 o'clock, and he had no special power to deal in the matter but promised to obtain my lordis awin anser in that caus. Wm. Mathe compearing declared him content to underly the judgement of this court in action between him and the Russells. Endorsed, Robert Russell in Sterischar, Thomas Russell in forest. (*H.*)

738A. 10th April 1566. Instrument of Resignation by Mr. Rob. Ritchartsone, Treasurer of Scotland, of the seventh part of the lands of Eistbarnis in the parish and regality of Dunfermline, Fifeshire, to the superior, Robert Commendator of D., in favour of Thos. Lugtoune, occupier of the said lands, 10th April 1566. David Bowsie, N.P.

Charter following to said Thos. Lugtoune and Jonet Philp, his spouse, 10th April 1566.

Instrument of Sasine following, 31st August 1566. David Bowsie, N.P. *Items* 1, 2 *and* 3 *of the Inventory of Eistbarns*, 1699. (*H.*)

738B. 12th May 1566. Charter of fewferme be um. Robert Pitcarne, commendator of Dunfermling, to um. Allane Couttis, chamberlain of D., and um. Margaret Walwoid, his spouse, in liferent and their son Allan in fee of three seventh parts of Eastbarns with 6 acres called the Grasmerland, in the regality of D., 12th May 1566.

Instrument of Sasine, 16th September 1566. David Bowsie, N.P.

Another Instrument of Sasine to them of said lands with another seventh, being in all four seventh parts, 29th May 1570, David Kingorne N.P., transumed 2nd April 1581. Jas. Kingorne N.P. *Items* 10, 11 *and* 12 *of Eastbarns Inventory*, 1669. (*H.*)

739. 6th September 1566. Letter of Reversion by William Hume, dwelling in Newland, to William Hume, indweller in Haddingtoun, whereby he binds himself that how soon the said William Hume pays to the granter on the high altar, or place where the High altar used to stand, in the parish kirk of Garwald, the sum of forty pounds scots ; with a letter of tack for five years of the subjects underwritten the said William Hume is to renounce to the said William Hume in Hadingtoun his tempill land now occupied by Ninian Fildar, lying in the town and territory of Dunkenlaw, Constabulary of Hadingtoun and shire of Edinburgh. At Dunkenlaw 6th September 1566. Witnesses, Henry Hardy in Dunkenlaw, Thomas Scharp there, William Dunkenlaw there, and Thomas Stevin notary public. (*M.*)

The granter's seal is affixed.

740. 7th October 1566. Instrument of Sasine by John Oswalde, baillie of the burgh of Canongate of Holyrood, on the resignation by David Stevingstoun, burgess of Dundee, and David Kinlocht, burgess of Edinburgh, procurator of Margaret Kinlocht, spouse of said D. S., in terms of procuratory by said M., dated 25th September 1566, Alex. Wedderburn, N.P., to David Forrest, Master General of the Royal Mint, and his heirs of a foreland in the Canongate on south side of the High Street between the land of um. Jas. Thomsoun on the west, land of um. Jas. Lamb on the east, the High Street on the north, and —— on the south ; and the quarter of three tenements of um. Rob. Broun, *alias* Wrycht, two lying contiguous on the south side of said High Street between the common vennel on the east and land of um. Rob. Lawfreis on the west ; and the third tenement also on south side of High Street between the said vennel on the west and the land of um. Pat. Broun, now of Margaret Jay, on the East, excepting the garden of the two tenements. 8 a.m. 7th October 1566 ; Witnesses, Pat. Fleming, burgess of Edr., David Forrest, son of the said David, John Sprott, Jas. Selkrig, serjeant of the Burgh of Canongate, and Jas. Logane, N.P., John Makneill, N.P. (*H.*)

741. 21st October 1566. Provision by John Archbishop of St. Andrews in favour of Gilbert Broune, minister of the Holy Cross of Peblis, in the diocese of Glasgow, to the provostry of the Collegiate church of Bothanis, vacant by the death of the late Sir William Dobsone, last provest and possessor thereof, and at the presentation of William Lord Hay of Zester. The said Gilbert Broun is represented by John Hamilton his procurator, who was personally present and accepted said Collation. Dated at the Archbishop's Chamber in the Palace of Hammiltoun 21st October 1566. Witnesses, Michael Nasmyth of Posso, John Johnnesoun, chamberlain to the Archbishop, and David Hammiltoun. John Hay, clerk of the diocese of Glasgow, is notary. (*M.*)

The Archiepiscopal seal is appended, slightly broken.

742. 13th November 1566. Precept under the Quarter Seal of Henry and Mary, King and Queen of Scots, ordaining Masters Alexander Sym, Alexander Mauchane, Clement Litill, Thomas Westoun, Henry Kinros and Thomas Craig,

sheriffs of Edinburgh and Peebles, to hold a special court or courts in the Tolbooth of Edinburgh for serving of John Hay of Tallo, as lawful and nearest heir of the late William Hay of Tallo, his father, in the lands of Linplum and Wynden, lying in the Constabulary of Hadingtoun and shire of Edinburgh, and the lands of Tallo and Craigmyldurris in the shire of Peblis. At Edinburgh 13th November 1566.

Fragment of quarter seal remains.

(*On the back.*)—Instrument dated at Edinburgh 14th January 1566, narrating that the said Sheriffs compeared before the Lords of Council and made faith that they would leilelie and trewlie proceid and minister justice anent the serving of the brevis within expremit. Upon which Alexander King, as procurator for the said John Hay of Tallo, asked and took instruments. Witnesses, Maister John Spens of Condy, advocate, Mr. Henry Balnaves of Halhill, and Robert Campbell, notary public, Robert Scott, notary public, subscribes the Instrument. (*M.*)

743. 13th December 1566. Extract Registered Contract, Alexander Zoung, oy and heir of um. Alexander Z., writer and N.P., and Elizabeth Galbraith his spouse on one part, and Neill Lang, keeper of our Soverane's Signet, and Elizabeth Danzielstoun his spouse on the other part (all parties appearing personally before the Lords of Council and Session), confirming charter, 28th December 1564, and undertaking to make another charter and hand over all the auld evidentis of the property, on payment of £363 scots, and a further sum of £230 for the east land, in all 900 merks; Edinburgh, 13th December 1566; witnesses, Jas. Bannatyne and Rob. Scott, writers, Jas. Danelstoun to said Nigel Laing, and John Galbraith, brother to said Elizabeth Galbraith.

Extracted and signed by Sir Jas. Balfour of Pettindreich, knt., Clerk of Rolls, Register and Council. *Reg. Deeds*, Vol. viii., fol. 448*b*. (*H.*)

744. 13th December 1566. Charter by Alex. Young, etc. to Nigell Layng, etc., of his east land in the tenement of Henry Swift, etc., and an annualrent of 10 merks due by the heirs of —— from said tenement to be paid should it happen that Layng and his wife are evicted: Edr. 13th December 1566; witnesses as in No. 743. Eliz. Galbraith hand let at the pen by David Lawte, N.P. (*H.*)

Seals gone.

745. 13th December 1566. Instrument of Sasine following on No. 744 given by Robert Glen, baillie of Edinburgh; Done 3 p.m. 13th December 1566; witnesses, Jas. Ballendene, writer, Thos. Galloway, Alex. Cuke and Wm. Nicholl, serjeants of said burgh, Wm. Stewart, clerk S. And. dio., Clerk of Burgh Court of Edinburgh, N.P. (*H.*)

Seal defaced.

746. 15th February 1566/7. Instrument of Sasine following upon Charter (No. 736) by Sir Robert Ostlair, chaplain of the chaplainry of Halibruntoun, to William Maitland of Ledingtoun, younger, of the lands of Mervingstoun, lying in the barony of Boltoun, shire of Edinburgh and Constabulary of Hadingtoun; with consent of Patrick Lord Ruthven, undoubted patron of the said chaplainry. At Edinburgh 8th March 1565. Witnesses, Edward Youngar, Sir Henry Zair, chaplane, and Andrew Ruthven. Sasine on 15th February 1566. Witnesses, Richard Cranstoun of Scatisbus, William Thomson, servant to Thomas Cokburn of Newhall, and Thomas Turnour, servant to said Richard Cranstoun. George Cokburn, brother german of the said Thomas, is attorney for said William Maitland and the said Thomas Cokburn is bailie. Cuthbert Henderson is notary. (*M.*)

747. 16th February 1566/7. Charter by William Maitland of Ledingtoun, younger, Secretary to the Queen, in favour of Richard Cranstoun of Scatisbusk, his heirs and assignees, of the lands of Marvingstoun, in the barony of Boltoun, shire of Edinburgh and Constabulary of Hadingtoun, holding of the granter in fee and heritage for ever, for yearly payment to him of one penny scots in name of blench ferme ; and to Sir Robert Ostlair, chaplain of Halibruntoun, twenty pounds three shillings four pennies and eight bolls oats, or five shillings four pence for each boll, in name of feuferme, and doubling the same at the entry of each heir. At Edinburgh 16th February 1566. Witnesses, George Home of Spot, younger, David Balfour of Powis, James Cokburn, son of the Laird of Clerkingtoun. Thomas Cokburn of Newhall is bailie. (*M.*)

Seal of granter slightly broken.

748. 24th February 1566/7. Procuratory by Mr. Robert Richartsoun, Commendator of S. Mary's Isle, Treasurer of Scotland, heritor of the underwritten property, to Allan Cowttis to resign to Robert, Archdeacon principal of S. Andrews and Commendator of Dunfermling and the convent thereof, as superiors, his quarter of the town and lands of North foyd, now occupied by Wm. Stenhous, lying in the lordship and regality of Dunfermling, Fifeshire, in favour of the said Wm. Stenhous ; Edinburgh, 24th February 1566 ; witnesses, Jas. Fairlie, Wm. Richartsoun, Hugh Tod and Peter Stewart. Signed "Maister Rot. Richarde ther. of scotland." (*H.*)

Seal appended in fair condition.

749. 10th March 1566/7. Instrument of Resignation following on No. 748, 24th February. Monastery of Dunfermline 10 a.m. 10th March 1566 ; witnesses, Rob. Douglas, Hugh Murraye and Andrew Durie, David *Bowsteng* (*or Bowsye*), N.P. (*H.*)

750. 10th April 1567. Instrument of Sasine given by Alex. Vddart, baillie of Edinburgh, to John Tod, brother and heir of um. Alex. Tod, of a land within the tenement of um. Mr. Thos. Marioribankis : Done 3 p.m. 10th April 1567 ; Witnesses, Matthew Mure and Mr. Alex. Logy, serjeant of said burgh, Wm. Stewart, clerk of Edr. N.P. (*H.*)

Seal of bailie appended in fair condition.

751. 13th May 1567. Letter of Tack by Gilbert Broun, Provost of the College Kirk of Bothans, to William Lord Hay of Zester, Dame Margaret Ker his spouse, the longer liver and their heirs of all the teind sheaves, other small teinds, fruits, rents, emoluments and duties of the said Provostry for 5 years, paying yearly £100 scots : Peebles, 13th May 1567 ; witnesses, John Dickesoun of Winkesoun, Alex. Waitche, Hew Creichtoun and Thos. Borthuik. Signed "Gilbert Browne, prowest of Bothanes." (*H.*)

752. 15th May 1567. Instrument of Sasine by David Welsche as baillie, to Peter Zounger, attorney for John Hay, following on and narrating a Precept of Sasine from Wm. Lord Hay of Zester, superior of the lands underwritten, addressed to George Daill and David Welsche, following on Retour of Inquest before Masters Alex. Mauchane and Thos. Crag, sheriffs *in hac parte* of the constab. of Haddington and Peebles, finding John Hay of Tallo heir to his father um. Wm. Hay of Tallo in a quarter of Linplum called Makdowellis quarter, in the barony of Duncanlaw and constab. of H., and the lands of Tallo and Cragkingildurris, in the barony of Olivercastle and shire of Peebles, except a quarter of lands of C. in which Mr. Andrew Hay is seized : precept dated at

Bothans 13th May 1567; witnesses, Thos. Kid, Thos. Adingtoun and And. Laumont, servants of said Lord, and Sir John Allane, N.P.; Sasine given at Cragkingildurris 5 a.m. and at Tallo 8 a.m., 15th May 1567: witnesses, Geo. Walsche, son of said D. W., Wm. Hendersoun in Kingildurris, Peter Zoung, servant of Andro Moffat in Frude, Wm. Moffet, servant of Jas. Patersoune in Hartstane, John M'Houss in Glencotho, and John M'Houss, son of Thos. M'Houss in Tallo. John Allane, priest Glasgow dio. N.P. A.a. and by Act of Parliament. (*H.*)

753. 14th July 1567 Instrument of Sasine by John Waluod, baillie *in hac parte* of Robert Commendator of Dunfermling, following on his charter, dated at the Monastery of D. 10th May 1567. Signed by Rob. Pitcarne, John Baxter, prior, Rob. Hogart, Jas. Dundas, Andrew Gray, Rob. Maistertown, Thos. Burne, Alex. Stewin, Wm. Smytht, Mark Lune, John Angus, John Scot, John Henrisone and Thos. Jamesone; following on No. 749, 10th March 6–7: Northfoid 10 a.m., 14th July 1567: witnesses, Edw. Elder, Rob. Stenhous, Thos. Wilsone and Adam Browne. David Bowsye, N.P. Endorsed XI Junij 1597, producit per Patricium stanehous. J. Kingorne scriba. (*H.*)

754. 9th December 1567. Charter by Jas. Henderson, son of um. Rob. H. "lanionis," skinner, burgess of Edinburgh, with consent of his wife Elizabeth Zoung, to Nigell Layng, Keeper of the Signet, and his wife Eliz. Danielstoun, of his tenement in the Cowgate (see No. 719), extending in length to 17 ells and 1 quarter in width; Edinburgh, 9th December 1567; witnesses, Alex. Clerk, baillie of Edr., John Mylne, Pat. Barroun and Alex. Cuke, serjeants. Signed, Eliz. Zoung's hand led by Alex. Guthre, notary. (*H.*)

755. 9th December 1567. Instrument of Sasine by Alex. Clerk, baillie of Edinburgh: Done 2 p.m. 9th December 1567; witnesses as above. Alex. Guthre, N.P. (*H.*)

Seal of bailie appended in good condition.

756. —— 1567. I Robert bennet in Musselbrught be the tennour heirof grantis me to occupie and laubour thre rigis of land quhilk liis before the zait of pinkinhous witht the Licence and lewe of Maister James M'Gill of Rankelor nethir clerk of register askit and obtenit thairto and be na wther ryt nor titill and thairfor bindis and obliss me to desist and ceis fra the occupiing and laubouring of the samin quhen euir It sall pleis him to require me thairto witht-out eny warning. Be thir presentis subscriuit witht my hand at edr. the —— day of —— in the yeir of God ane thousand v^c and Lx sevin zeiris. Signed Robert bennett wt my hande. (*H.*)

757. 25th April 1568. Tack by Robert Commendator of the Abbey of the Haly Croce besyde Edinburgh and the convent of the same, chaptourlie gatherit, to William Lord Hay of Yestir and Dame Margaret Ker his spouse, of the teind schaves of the lands and parish of Barro and parsonage of the same, as a part of the patrimony of the said Abbey, lying in the sheriffdom of Edinburgh and Constabulary of Hadingtoun, for 19 years from the Expiry of the tack set by them to Robert Carncroce of Comesley, which was the 20th June 1574. Paying therefor the yearly tack duty of 20 merks. At Halyrudhous 25th April 1568. Witnesses, W—— (Gib)esone, servitor to the said lord Hay, and William Hoppringill, tailzeour burgess of Edinburgh. Signed Robert Stewart, Dene Stevin lister prior, Dene James Abarcrumby, (D?) Dauidsone, Alexander forester, Andrew Blakhall, (as a witness) —— Gibson. (*M. and H.*)

Chapter seal of said Abbey is appended, complete.

758. 29th May 1568. Instrument of Sasine by Thos. Pantoun, Provost of Haddington, of two acres of arrable land in the freedom of Haddington near the Cheritrie heuch and in the field called the Tenter Croft, of which said two acres six rigs lie contiguous in the cheritrie heuch between the lands of Wm. Hume on the east and lands of um. Thos. Thomsoun on the West, and two rigs lie contiguous in the Tenter croft between the lands of John Aytoun on the west and north, and lands of John Forros on the south, resigned by Wm. Hay, son of um. Wm. Hay of Tallo, in favour of himself and his spouse Margaret Hay, etc. Done 3 p.m. 29th May 1568: Witnesses, Pat. Franche, John Clark in Nungate of Haddington and Andrew Quhite and Rob. Byris, serjeants of the said burgh. Thos. Stevin, priest S. And. dio., N.P. A.a. (*H.*)

759. 28th May 1569. Late 16th century copy of a Tack by Robert Commendator of the Abbey of Dunfermline to Pat. Ross, son and apparent heir of John Ross of Craigie, of all and haill our Kirk of Perth, both parsonage and viccarage, with all the teind-sheaves and other teinds, etc. which the said John and his predecessors have enjoyed past memorie of man, for the space of 19 years paying £120 and 10 marks. Dunfermline, 28th May 1569. (*H.*)

760. 7th October 1569. Instrument on the Redemption by Sir Wm. Allane, as procurator of Wm. Lord Hay of Zester, from Rob. Moubray, burgess of Edinburgh, son and heir of Andrew M., burgess of Edr. (by payment of £140 scots and a letter of assedation for 3 years at a yearly rent of £5 of the west half of Over Hartstanis), of an annualrent of 6 merks from the Nether half of the west part of the foresaid lands of Hartstanis in the barony of Olivercastle, Peeblesshire, the said Rob. M. resigning charters, etc. by um. David Hay (of Yester C.C.H.) and a letter of reversion to said D. Hay by said um. Andrew Moubray; Done in the College Kirk of S. Giles of Edinburgh 2 p.m., 7th October 1569; witnesses, John Uthiltre, Walter Cant, burgess of Leith, Jas. Nicholl in Quhitelaw, and Wm. Carfra. John Allane, priest Glasgow dio., N.P. A.a., and Lords of Council. (*H.*)

761. 4th January 1569/70. Instrument on Redemption by Sir Wm. Allan, as procurator for Wm. Lord Hay of Zester, from John Cossare, burgess of Edinburgh, by payment of 240 merks, of an annualrent of 10 bolls "*farine avenatice*" from the lands of Jedburgh feild: Done in the Hospice of Mr. John Moscrope, advocate in Edinburgh, 4 p.m., 4th January 1569: witnesses, said Mr. J. Moscrope, Pat. Moscrope his son, and Pat Hay, servitor of said noble Lord John Allan, Glasgow dio., N.P. A.a., and by Lords of Council and Act of Parl. (*H.*)

761A. 27th February 1569/70. Ane precept of sasine be Wame. Lord Hay of Zester for geving sasine to Johne Hay of tala as air to vmqle. Wame. hay of tala his father of the half of ye landis of wynden, daittit 27th Februar 1569. *No.* 33 *of* 1617 *Linplum Inventory.* (*H.*)

762. 29th November 1570. Contract, dated at Dunfermline penult day of November 1570, between James Murray, brother german of Sir Wm. Murray of Tullybardin, on one part, and Andrew Boiswell, son lawful to John B., burgess of D., heretor of the tenement of land underwritten, and the said John B., father, for himself and his said son, and David Boiswell, portioner of Gaitmylk, Wm. Boiswell in Dunfermline, brether, John Boiswell in Bruntland, and Anthonie Rutherfurde, as lawful curators to the said Andrew whereby, considering that the said tenement is Ruenuss in syndrie partis and for laik of puissance and substanis to reedefy Repair or big ye samin he is nocht withtout greit coist and expenss abill, the said Andrew with the advice of

his said father and curators sells and annaleis to the said J. M. and his heirs and assignees heritably a tenement of land lying in the burgh of Dunfermline in ye gait callit ye may gait, presentlie inhabitit be ye said Anthonie, betuix ye landis pertaining to williame meklejohne inhabitit be hym on ye west parte, ye enteres to ye gait passing vnder ye abbay wall on ye eist, ye hie streit callit ye may gait on ye northt and ye kirk zaird on ye southt partis ; For which the said James Murray binds himself to pay between the date hereof and Candelmas the sum of five score fifteen marks scots. No witnesses.

Signed James Murray, Androw bossuell, with my hand ; Dauid Bossuell, Johne Bosuell ; Antone Rutherfurd wt my hand ; William boswell wt my hand, at ye pen led be Antone Rutherfurd, notar at his command. (*H.*)

Paper.

763. 9th April 1571. Notarial Copy of an Instrument of Sasine by Andrew Cunynghame of Birkschaw, following on a Precept of Clare Constat by Wm. Lord Hay of Zester, baron of Snade, in favour of Agnes Fergusoun, as heir of her father Rob. F. of Brekansid, in the lands of Birkansid, lying in the barony of Snade, Dumfresshire ; precept dated at Bothanis 16th March 1572 ; witnesses, John Dikesoun of Winkstoun, John Muyr, Gire Kirkpatrik, Wm. Twedy and Wm. Lauder, household servitors of said Lord ; Sasine given at Birkanside 11 a.m., 9th April 1571 ; witnesses, Roger Greirson in Bardaroch, John Fergusoun of Cragdorah ygr., John Fergusoun in Glenshennoroch, notary, Andrew Nepowire, Rob. Cunyngham, John Cunyngham, Fergus Fergusoun in Knokauchlie and Rob. Fergusoun Copier. David Makgee, N.P. (*H.*)

763A. 12th April 1571. Ane instrument quherin thomas hay is investit and obtenis possessions of the prebendarie of St. Edmond be Sir Wm. Cocburne, ane of the prebendars of the College kirk of bothanes, the said thomas presenting to the said Sir Wm. lettres of gift of the said prebendarie grantit to him be jon hay of talo, undoubtit patroun of the said prebendarie vaccand be the deceis of thomas dugeoun, last prebendar therof, of the dait 12 April 1571, noter therto Alex. forrest. *No.* 8 *Edmond Altar Inventory.* (*H.*)

764. 11th June 1571. Retour of Inquest held in the Tolbooth of Hadingtoun before John Cokburn, Sheriff Depute of Edinburgh, within the Constabulary of Hadingtoun on 28th May 1571, and retoured 11th June 1571 by William Deuar in Dunkenlaw, William Kempt there, Patrick Tempill in Weldene, Thomas Diksoun in Sheriffsyde, Archibald Fell, James Hay in Zester, Walter Colstoun, Arthur Storie, William Myldis, John Walderstoun, Patrick Steill, Robert Dobsoun, William Hay, Henry Hardie and George Huntar, finding Patrick Dunkenlaw lawful and nearest heir of the late Andrew Dunkenlaw, his father. (*M.*)

The seal of John Cunyngham, procurator for Thomas Dikson, alone remains and is slightly broken.

765. 11th June 1571. Certified extract from the Burgh Court Book of Dunfermline narrating that in a Court held in the Tolbooth of D. 11th June 1571, by John Wemyss of Pittincreif, Provost, Adam Stewart and John Multray, baillies, the said provost, baillies and town council conforme to a request by James Murray anent the bigging of a cloiss to his lodging in the Maygait, chose the following persons to meet the following morning, examine and deliver judgement in the said matter, viz., Wm. Cowper, Gilbert Kennedye, Wm. Bosuell, Andro Law, Johne Thomesoun, Dauid Hutchoun, Dauid Sybbald, Wm. Meklejohne, Robert Peip, Dauid Henrysoun, Johne Car, Wm. Schorthous, Robert Spens, Dauid Strange, Michaell Horne, Henry Glass, James Burne, Merchand ; 12th day of the foresaid month the said Inquest decerned that the

said J. M., his heirs and assignees, sall have ane peice of ye commontye on ye northt syd of his said lugging to big and erect ane cloiss dyk yairon extending to ye space of aucht fuittis northt fra ye ground of his turnpyk and ye est wall yairof to be four fuittis withtin ye est gavill of ye said lugging, Payand yairfor yeirlie to ye commone gud of ye said burtht twa schillingis ; And Capitane Dauid Murray of Hilfeild askit instruments in James' name witht thrie fuittis to bige ye said wall upoun. Signed by John Cwnynghame, N.P., Toun Clerk. (*H.*)

766. 25th June 1571. Instrument of Sasine proceeding upon Charter of Alienation by William Lord Hay of Zester, with consent of Margaret Ker his spouse, in favour of James Hay, second son of the said Lord Hay, of the lands of Uggistoun, lying in the Sheriffdom of Edinburgh and Constabulary of Hadingtoun, Reserving the free tenement of the said lands to the said granter and spouse. At Bothanis 22nd June 1571. Witnesses, William Lawder, George Lyle, servant to the said Lord Hay, and Mr. John Moscrop, advocate. Sasine dated 25th June 1571. Witnesses, Laurence Horne, John Elisone, Robert Cristesoun in Uggistoun. William Purves is attorney for said James Hay and Thomas Blair is notary. Andrew Purvis is bailie.

Paper.

On the back is a Notarial Certificate that this sasine was produced on 10th July 1591 before four Macers of the Sheriffs of Edinburgh, Constabulary of Hadington, Peebles, Selkirk, Lanark and Perth, for the part of Andrew Hay in Bothanis. Thomas Hervye, notary, certifies. (*M.*)

767. 17th September 1571. Tack by Adam Bishop of Orkney, Commendator of the Abbey of Halie Croce beside Edinburgh and convent of the same, in favour of Robert Carncroce of Colmeslie, of the teind sheavis of the parish of Barro pertaining to the personage thereof, lying in the diocese of St. Andrews, Sheriffdom of Edinburgh and Constabulary of Hadingtoun, for the space of 19 years from 20th June 1573, for payment of twenty merks yearly ; At the Abbey of Holy Croce 17th September 1571. (*M.*)

The common seal of the Chapter of the said Abbey is appended, and in good condition.

767A. 17th March 1571/2. Ane Instrument of Seasing given be thomas steven, noter, following wpon a precept of clare constat be Wm. Lo. Hay of Yester to Patrick broun, as air to George broun of Coalestoun, of a tenement of land sometyme perteining to Martine Matlant, and also of a tenement callit caudlis orchart, and of ane annuellrent of 20 sh. forth of the said tenement of land perteining to david barnes, dated 17th Marche 1571. *No.* 2, 17*th Century* "*Minute of vassalis Writes of some landis about hadington.*" (*H.*)

767B. 8th August 1572. Thomas brounes chartour of the kirklandis of bara, 8th August 1572. *No.* 67, 1617 *Linplum Inventory.* (*H.*)

767C. 4th October 1572. Andro Chalmeris sasine of the Kirklandis of bara, 4th October 1572, vnder the note of James Logane. *No.* 72, 1617 *Linplum Inventory.* (*H.*)

768. 7th November 1572. Instrument of Sasine by Robert Rust, baillie for Lord Hay, to James Wilsone, attorney for John Hay of Tallo, following on and narrating a Precept of Sasine by Wm. Lord Hay of Zester, dated at Bothanis 1st December 1571, and addresses to Rob. Rust in favour of John Hay of Tallo as heir of his father, Wm. H. of T., in the fourth part of the lands of Cragkingil-

touris, Peeblesshire; Done on said lands at the Cruk burne 11 a.m., 7th November 1572: witnesses, Paul Dernling in Stanehope, John Wauche in Bernhillis and Thos. Dyale in Stanehope, John Allan, N.P. (*H.*)

768A. 8th (?) May 1573. Ane chartour of the Kirklandis of Bara maide be Mr. Alexr. Chalmer, vicare of bara, to Johne Hay of Tallo, daitit in May 1573.

Ane Sasine to Johne Hay of Talo of the kirklandis of Bara of the dait the 8th day of May 1573, Johne Hay of Talais sasine of the kirklandis of bara, 19th August 1573. *Nos.* 47, 73 *and* 75, 1617 *Linplum Inventory.* (*H.*)

769. 12th May 1573. Ratification by Robert Commendator of the Abbey of Drumfermeling of the charters of Pinkie by George Commendator of Dunfermline, Nos. 678, 690: Edinburgh, 12th May 1573; witnesses, Robert Lumisdene and John Johnestoun. (*H.*)

Signed "R. Dunfermling," and seal of Robert Pitcarne, Commendator of Dunfermling, appended in good condition.

770. 16th May 1573. Instrument of Sasine following on and narrating No. 690, given in the hall of the fortalice of Pynkin to Mr. James Makgill, senior, personally to Jonet Adamsoun by her attorney, Mr. David Makgill, and to James, junior, personally, 11 a.m., 16th May 1573; witnesses, James Adamsoun and John Adamsoun, burgesses of Edinburgh, John Johnestoun, N.P., S. And. diocese. (*H.*)

771. 10th August 1573. Charter by Sir Thomas Makgill, Archpriest of Dumbar, with consent of the Dean and the other prebendaries of the chapter of the College of Dumbar, to William Lord Hay of Zester, his heirs and assignees, of his two acres of kirkland in the territory of West Barns, constabulary of Haddington and shire of Edinburgh, viz.: one acre beside the Berdisbalk between the lands of Beilhauch on the east, Beltoun on the south and west, and three rudis extending to one acre also beside the Berdisbalk between the lands of Beltoun on the south and west, the royal lands called Brwmestobbis on the east and north; To be held and had in feuferm and heretage; Paying 13s. and 4d. scots yearly with 8 pence of augmentation and duplication at entry; with clause containing precept of sasine addressed to Wm. Lawder, Edinburgh, 10th August 1573; witnesses, Rob. Spottiswod, And. Hay, Wm. Lawder, servants of the said Lord Zester, Michael Nasmytht in Posso, James MacKaknay in Edinburgh.

Signed, Schir Thom Makgill archprest of dunbar wyt my hand, Claudius commendatarius de Paslet (lord Claud Hamilton, abbot of Paisley and Dean of Dunbar C.C.H.), Dauid Howme persoun of donce, Georgius Hepburne prebendarius de Hauche, Alexr. Hwme rector de Spott, Maister Johne Manderstoun persoun of beltoun. (*H.*)

Seal of Makgill appended, broken and defaced, and 16th century chapter seal, entire but in bad condition.

772. 19th January 1573/4. Instrument on the Assignation by Janet Spottiswod, relict of Wm. Hay of Tallo, to their son Wm. Hay of Wynden of a decreet by John Cokburn, sheriff depute of Edinburgh in the constabulary of Haddington, in favour of said Janet, decerning John Hay now of Tallo to pay her a sum of £69 owed by him to her, dated 17th July 1570: also of another decreet by said sheriff depute decerning said J. H. to pay to said Janet 400 merks: with power to said W. H. of Wyndene to receive said sums; Done at Wyndene 12 midday, 19th January 1573; witnesses, James Creytoun in Wyndene, John Dunkanla in the Ceukis and John Williamson in Wynden. Thos. Stevin, N.P.

Endorsation bears that on 30th September 1574 in presence of Thos. Stevin,

N.P., Wm. Hay of Wyndene shewed the within-written assignation to John Hay of Tallo, and protested that the said J. H. should pretend na ignorans heirintill. Done at Wyndene 10 a.m., witnesses, John Mayne, burgess of Haddington, Pat. Dunkenlaw, Alex. Hay and Andrew Mayne. (*H.*)

773. 25th January 1573/4. Commission under the Great Seal to the Commissaries of Edinburgh to act in place of the Commissaries of Jedburgh in an action pursued by William Lord Hay of Zester against John Ker, Elizabeth and Isobel Kers, son and daughters and executors of the late John Ker of Fairnyhirst, Knight, and also against Andrew Ker and the heirs and executors of the late David Tyrie of Drumkilbo as cautioners, in the testament of the said deceased John Ker, for recovery of a sum of 2540 merks contained in a Bond and due by the said deceased John Ker at the time of his death, who died in the month of July or thereby 1562. It is narrated that this action could not be adjudicated on at Jedburgh owing to a feud between the said William Lord Hay and Walter Scot of Branxholme, Knight, for the slaughter of one of his servants. At Edinburgh 25th January 1573. (*M.*)

Fragment of Great Seal remains. A note on the margin states that Lord Hay was constituted assignee to the portion natural of the said Isabel Ker with consent of James Ker, her husband.

774. 12th April 1574. Instrument of Sasine by Gilbert Kennedy, one of the Baillies of the Burgh of Dunfermling, following on the resignation to him by Elizabeth Braidwod, one of the heirs of um. Rob. B., burgess of D., with consent of her husband Pat. Wilsoun, of a tenement of land now waste and not built upon ; lying in the burgh of D. on the east side thereof between the lands of Hector Braidwod on the North, wall of the Garden of James Murray on the south, lands of Henry Dais on the east, and the way between the said tenement which passes under the wall and the lands of the said Jas. Murray on the west, in favour of Jas. Murray of Perdewis, brother german of Wm. Murray of Tullybardine, knt. Sasine given to Wm. Cowper as attorney, 8 a.m. 12th April 1574 ; witnesses, Rob. Kellok in Pittravis, John Hucheoun in Newraw, Alex. Walwod, Wm. Mar and And. Alisoune. David Kingorne, N.P. and Clerk of the Regality of Dunfermling. (*H.*)

775. 28th May 1576. Instrument of Redemption by Patrick Dunkanlaw, son and heir of umquhile Andro Dunkenlaw and also heir of the late Thomas Dunkenlaw, whereby for a certain great sum of money paid to him by William Dunkenlaw in Dunkenlaw, he renounces two cot lands, with tofts, crofts, etc. lying in the town and territory of Dunkenlaw, sheriffdom of Edinburgh and Constabulary of Hadingtoun, with his right to a reversion of the said lands made by umquhile James Dunkenlaw, father to the said William Dunkenlaw, to the said umquhile Thomas Dunkenlaw and his heirs, which failing to the said umquhile Andro Dunkenlaw and his heirs, containing the sum of 41 merks six shillings eight pence. Instrument dated 28th May 1576. Patrick Douglas, burgess of Hadingtoun, is procurator for said William Dunkenlaw. Witnesses, George Symsoun, Alexander Symsoun and William Peris. Thomas Stevin is notary. (*M.*)

776. 5th June 1574. Letter of Tack by Robert Commendator of the Abbay of Drumfermeling and Archidene of Sanct Androis and convent of the said Abbay to Mr. Jas. Makgill of Rankeloure Nethir, Clerk of Register, and Mr. Jas. Makgill, his son and heir apparent, and the longer liver of them, and after their decease to thrie airis of the said Maister James Zounger for their lifetymes succeeding to him in his lands of Pinkie and Kerss, the teind sheaves of the said lands and the fish teinds of Mussilburtht ; Paying yearly for the fish teinds £8 and the teind sheaves £10 scots ; the Abbot binding his successors

to renew this tack for payment of £40 to the Makgill's heirs: Dunfermline, 5th June 1574; witnesses, Wm. Cowttis, Rob. Lumisden and Mr. Alex. Knollis. Signed R. Dunfermling and by Wm. Lumisden, Alex. Stewin, Alex. Huniman, Jas. Durye, Thomas Burn, Thos. Jameson, John Angus, Alex. Aitkyn, Mark lun, Wm. Smytht, John Henrysoun. (*H.*)

Fragment of chapter seal appended.

777. 18th June 1574. Instrument of Sasine by Alex. Vddart, baillie of Edinburgh, following on resignation by Harbert Maxwell, burgess of Edr., to David Dennestoun, gold worker, of a waste and built land, high and low, once belonging to um. Alex. Freir and thereafter to Alex. Lauder, son and heir of um. Wm. Lauder, burgess of Edr., and lying within the tenement of um. Thos. Fothringhame on the south side of the high street beside the Nether bow, between the lands of um. David Tod on the east and tenement of um. Andrew Mowbray on the west; and also a waste and built land in the said tenement between the gable of another land of said um. Alex. Freir on the north and land of um. Rob. Carmichael on the south; Done 3 p.m. 18th June 1574; witnesses, Rob. Scott, John Roger, Geo. Gourlay and Pat. Barroun, serjeant, Alex. Guthre, town clerk of Edr., N.P. (*H.*)

The tag for the seal has been cut from a Precept of Sasine from Chancery to the Provest and Baillies of Edinburgh to infeft Isabella Faltoun as heir to um. David Faltoun of Dalry Mylnis.

778. 19th June 1574. Charter following: Edinburgh, 19th June 1574; witnesses, Jas. Harlaw, writer, Wm. Fermour, Thos. Harlaw, Harbert Maxwell the granter's son, and David Dikesoun, son of Alan D., burgess of Edr. (*H.*)

Signed, and seal appended in good condition.

779. 23rd July 1574. Letters under the Signet addressed to James Kemp, sheriff *in hac parte*, narrating that Wm. Lord Hay of Zester has a tack from Robert, Commendator of Halycroce, of the teind sheaves of Barro, but the feuars, farmers, etc. of the said parish intend to lead the crop of this year without the said Lord's licence; and charging the said J. K. to make inhibition openly in the parish kirk of Barro to the said parishioners, etc. forbidding them to remove their corn unteyndit; Edinburgh, 23rd July 1574. Signed J. Forsyth.

Endorsation bears that on 1st August 1574 J. K. made inhibition as above at the said kirk in presence of the parishioners; witnesses, Wm. Hay in Kirkbank, Wm. Duncanlaw, Pat. Murray and Wm. Keperpt (?). (*H.*)

780. 9th September 1574. Instrument of Sasine by Wm. Naper, baillie of Edinburgh, of a built and waste land (the second subject in No. 777, tenement being described as once of um. Thos. Fothringhame now of David Stevensoun) resigned by David Dennielstoun, goldworker, burgess of Edr., to Nigell Layng, Keeper of the Signet, and to Mr. John Layng, attorney for N. L.'s wife Eliz. Dennielstoun: Done 3 p.m. 9th September 1574. Witnesses, Jas. Bannatyne, Hugh Tod, Alane Tod, notary, Mr. Alex. Logie, John Barroun, and Alex. Cuke, serjeant of said burgh, and Alex. Guthre, town clerk, N.P. (*H.*)

Seal of bailie appended in good condition.

781. 10th September 1574. Instrument of Sasine following on No. 770: 3 p.m. 10th September 1574: witnesses, George Lyle, son and heir apparent of Rob. L. of Stanypeth, Wm. Hamiltoun, Rob. Sibbett, servants of the said Lord Zester, and William Lauder, son of Gilbert L. of Quhitslade. Alex. Symsone, N.P. (*H.*)

782. 7th October 1574. Instrument of Sasine by Wm. Naper, baillie of Edinburgh, preceding No. 783: Done 3 p.m. 7th October 1574; witnesses, Jas. Bannatyne, W.S., Allen Tod, notary, Mr. Alex. Logy, John Barroune, and Alex. Cuik, serjeant of said burgh. Alex. Guthre, town clerk, N.P. (*H.*)

Seal of bailie appended in good condition.

783. 9th October 1574. Charter by Robert Tod, son and heir of um. David Tod, burgess of Edinburgh, with consent of his mother Elizabeth Zoung, and of Hugh Tod, Alex. Arbuthnot and James Broun, burgesses of Edr., at whose instance R. T. had been interdicted from alienating his property, to Nigell Layng, Keeper of the Signet, and Elizabeth Dennistoun, his wife, etc., for the sum of £140 of his garden within the tenement of um. Thos. Fothringhame (now of David Stevinstoun) between the land once of Harbert Maxwell (now of David Dennestoune, goldworker), on the North; the garden once of the heirs of um. Andrew Mowbray (now of Alex. Vddart, burgess of Edr.) on the West; the garden once of the heirs of um. Alex. Zoung, writer (now of said Nigell), on the East; and that part of the garden once belonging to Jas. Henrysoun, son of um. Rob. H. (now to said Nigell) on the south; Edinburgh, 9th October 1574; witnesses, Jas. Bannatyne, Henry Sinclair, Allan Tod and Mr. John Layng. (*H.*)

Signed Eliz. Zoung's hand led by Allan Tod, N.P.

784. 9th December 1574. Letters under the Signet to Geo. Zowng, messenger, at the instance of Wm. Lord Hay of Zester, complaining that Andro Ker, son lawful to um. Sir John Ker of Pherniherst, knt., maintaining that the said Lord has not fulfilled a contract to infeft him in the lands of Athmure and lands and barony of Lochquheret in warrandice which is nocht of veritie, has obtained letters under the Signet to summon the said A. Ker to compear before the Council at Edinburgh on the 16th January next bringing with him the said Contract and letters and hear and see the said letters reduced: Edinburgh, 9th December 1574; Signet impressed. Endorsation bears that on the 20th December 1574 Geo. Zoung summoned the said Andro Ker, witnesses, Sir John Robesone and Richart (Crumby?). (*H.*)

785. 22nd February 1574/5. Certified Transumpt, dated 22nd April 1581 (see No. 832A), of an entry in the protocol book of David Kingorne, N.P. (who was dead at the date of the transumpt), recording an Instrument of Sasine by John Boiswell, baillie of the burgh of Dunfermline, following on the resignation by Marjorie Phyn, daughter and heir of um. Thos. P. in Dunfermling, of her barne witht the zaird bak and foir lyand outwitht the coilzeraw port of the said burght of Dunfermling vpoun the west syd of the gaitt thairof betuix the landis of the airis of vmquhill robert Stalkar on the southe and northe pairttis; The orchard callit the coilzeraw orchard on the west; and commoun gaitt on the eist pairttis, in favour of Thos. Phyn, son of um. Jas. P. in Bruntiland, reserving her liferent; witnesses, Wm. Boiswell in Dumfermling, Jas. Batram of that Ilk, David Boiswell, son of Jas. B. in Abirdour, Jas. Burne, Gavin Creychttoun, serjeant, Francis Cuik in Abirdour. (*H.*)

786. 22nd March 1574/5. Instrument of Sasine by Jas. Harte, baillie of the burgh of Canongate of the Monastery of Holyrood near Edinburgh, following on and narrating Precept of Clare Constat by Adam, Bishop of Orkney and Zeitland, commendator of Holyrood, finding David Forrest heir of his father um. David. F., Master general of the King's mint, in a foreland high and low lying on the south side of High Street of said burgh between the lands of um. Jas. Thomsoun on west, lands of um. Jas. Lamb on east, the high Street on North, and (blank) on south; and also in the quarter of three tenements there fore and back with gardens, except the garden of the two western tene-

ments lying between the common vennel on the east, the land of um. Rob. Lawfreis on the west, and the third tenement on the east side of the said, vennel between the said vennel on the west, lands of um. Pat. Broun now of Margaret Jay on the East addressed to John Athesoun, Jas. Harte and Jas. Wilkie, dated at Holyrood 8th March 1574, witnesses, Mr. Alex. Chalmer, vicar of Barro, Rob. Gourlaw and John Winzettis; Sasine given 8 a.m. 22nd March 1574; witnesses, Rob. Purves, cultivator, burgess of Edr., Wm. Wode, dweller in St. Andrews, Pat. Lawsoun, burgess of Hadingtoun, Richard Forrest, dweller in said burgh of Canongate, and Jas. Selkrig, serjeant of said burgh. Jas. Logane, N.P. (*H.*)

787. 20th April 1575. Instrument of Sasine following on No. 731 given by John Sybbald to Robert Alexander in Kirkurd: Done 8 and 9 a.m. 20th April 1575; witnesses, John Broun, Thos. Broun, Wm. Broun and Geo. Broun, John Thomsone, priest of Glasgow dio., N.P. A.a., and by Lords of Council. (*H.*)

788. 7th June 1575. Charter by Robert Alexander to Wm. Vatche of Kingsyde of the 40 shilling lands of Wester Hoprew in the barony of Hoprew, Peebleshire; To be held of the Vicar of Stobo: Paying £4 of fee firm; with precept of sasine addressed to Gilbert Twedy, treasurer of the burgh of Peblis; Edinburgh, 7th June 1575; witnesses, Adam Twedye of Drava, Mr. Andrew Culquhone, rector of Stobo, John Hewart of Bodisbek, Adam Moffet, burgess of Peebles, Walter Twedye, reader in the Kirk of Brochtoun in Tueddell, and Thos. Bissat, reader in the Kirk of Drummelzear. Signed by granter, his hand led by David Lawte, N.P., and by several witnesses. (*H.*)

789. 21st December 1575. Renunciation by Marioun Hay, relict of Alex. Lauder, burgess of Edinburgh, and Ewffame Lauder their daughter, and said Mareoun as lauchfull administratrix, rewlare, gydare, and governatrix to her, To Adame Bell, burgess of Peibles, on payment of £20, of the lands of Crukstoun and the Langsyde in the parish of Peebles, annalet by him in November 1572; Edinburgh, 21st December 1575; witnesses, Wm, Peblis, servant to said Adam, Thos. Marioribankis, son to Michael M., notary, and the said Michal. Signed by the granters, their hands led by M. Marioribankis, N.P. (*H.*)

790. 21st December 1575. Charter by Adam Bell, burgess of Peblis, in terms of a contract dated 20th December 1575, to William Lord Hay of Zester and his wife Dame Margaret Ker in conjunct fee, and their heirs, of the quarter of the lands of Cruikstoun, now occupied by Andrew Thomsoun, redeemed by me from um. John Dikesoun, apparent of Winkstoun, within the shire of Peebles; To be held in free fee, blanche ferm and heritage by the said W. and M. and their heirs; Paying yearly one penny scots in name of blenche ferm if asked; with clause containing precept of sasine addressed to Michael Nasmyth of Posso: Edinburgh, 21st December 1575; witnesses, Rob. Ker of Wodheid, Geo. Lyle of Stanepeth ygr., Gilbert Thornetoun, writer, and Andrew Moresoun. Signed "Adam bell wt my hand." (*H.*)

Seal appended, defaced.

791. 22nd December 1575. Instrument of Sasine by the granter, James Forest, son and heir of um. Mr. Alex. Forest, rector of Logy Montrois, following on his resignation under reversion of the large garden commonly called the Vicar's Manse, lying on the west side of the cemetery of the Parish Kirk of Hadingtoun, in favour of his cousin David Forest, son and heir of um. David Forest, burgess of Hadingtoun and Director general of the King's mint, for the sum of £50 scots; 22nd December 1575, 3 p.m. Witnesses, Henry Campbell, Thos. Tuedy, John Brisone, burgesses of the said burghe, and Sir John Andersone, chaplain. George Cok, M.A., N.P. (*H.*)

792. 24th December 1575. Instrument of Sasine following on No. 790, 21st December 1575, given to Andrew Thomesoun, ygr. of Crukistoun, attorney for the grantees: 12 midday, 24th December 1575; witnesses, Andrew Thomesoun, "*siccatore frumenti*" (winnower?), Andrew Thomesoun, his son, and Stephen Thomesoun, son of um. Rob. T., dweller in Crukistoun. John Hay, Clerk of Glasgow diocese, N.P. A.a. (*H.*)

793. 8th June 1576. Discharge by Edmund Hay, advocate, and Agnes Smith, his spouse, to Robert Hume of the Heuch and Marioun Hepburne, his wife, for 1150 merks in redemption of an annualrent of 138 merks and 650 merks in redemption of another annualrent of 70 merks, both secured, under redemption in scots money (Hardheddis callit Lyounis and twelf penny pecis except), on the lands and mains of the Heuch near North Berwick in the Constabulary of Haddinton by a contract dated Edinburgh and the Heuch 3rd and 7th May 1574, registered in the Books of Council the following January: Edinburgh, 8th June 1576; Witnesses, Wm. Hay of Wyndane, James Kneland, brother german to Wm. K. of that Ilk, Rob. Zoung, servant to my Lord Zester, Wm. Smytht, servant to the said Mr. Edm., and John Forsytht notary. Signed "Mr. Ed. Hay" and by Agnes Smith, her hand led at the pen by John Forsytht, N.P. (*H*).

Paper.

794. 8th September 1576. Discharge by Alex. Home of North Berwick Mains, son lawful to um. Alex. H. of Polwart, to his cousin Robert Home of Heucht for the sum of 3300 merks scots in redemption of his three mills biggit beside North Berwick, with the water draucht, multures and profits with the north medo, myln croft, bankis and brayis lying between the lands of Heucht and the town of North Berwick, constabulary of Hadingtoun, shire of Edinburgh: and also the said lands of Heucht sold in warrandice of the said thrie mills under reversion; and also resigning a 5 years' tack of the said mills: Edinburgh, 8th September 1576; witnesses, David Sinclar of Blanss, Wm. Hay in Wyndene, Thos. Vauss, burgess of Edr. and Thos. Blane, servitor to Mr. John Moscrop, advocate. Signed "Alexander hum of Northberwyk menis." (*H.*)

795. 19th January 1576/7. Tack by William Lord Hay of Zester with consent of Margaret Ker, his spouse, to his "cusing and servitour" William Hay of Wyndene and Margaret Hay, his spouse, of their four husband lands of the lands of Barro, now presently occupied by Marion Hepburne Lady Quhitlaw, lying in the barony of Dunkenlaw, for five years next following the decease of the said Marion Hepburn. Paying therefore yearly 16 merks. At the Bothanis 19th January 1576. Witnesses, William Ker, son and apparent heir to Robert Ker of Wodheid, Andro Kirktoun, John Ker in Kershop (?), William Lyill and Robert Zowng. (*M.*)

The seal of Lord Hay appended, perfect, that of his wife has disappeared.

796. 24th May 1577. Charter by Robert Hume of Heuch with consent of his wife Mariota Hepburne to William Hay of Zester and Margaret Ker, his wife, in conjunct fee and their heirs of an annualrent of 96 merks scots from the lands of Heuch lying in the constabulary of Hadingtoun and shire of Edinburgh, under redemption for 7000 marks in terms of contract dated at Bothanis and Heuch 6th and 7th June 1576; with clause containing precept of sasine addressed to Wm. Ker and Wm. Hay of Wyndene; Edinburgh, 24th May 1577; Witnesses, Andrew Sinclair of Blanss, Wm. Twedie, Thos. Bannatyne, John [illegible]ng, writer, and Jas. Tarbert, his servant. Signed "Robert Hume of Heuche," and by M. Hepburn, her hand led by John Zoung, N.P. (*H.*)

Seals of R. H. and M. H. appended in good condition.

797. 25th May 1577. Instrument of Sasine following given by Wm. Ker to Wm. Hay of Wyndoun as attorney for the grantees : 1 p.m. 25th May 1577 : witnesses, Wm. Lyle, Andrew Hay, servants of the said lord, and John Bassinden, servant to said R. Hume. Alex. Symsone, N.P.

798. 11th June 1577. Charter by Robert Hume of Heuch with consent of his wife Mariota Hepburne to William Lord Hay of Zeister and his wife Margaret Ker in conjunct fee and their heirs of an annualrent of 90 merks from the lands of Eisfeild, occupied by Andrew Hume, Captain of Thomtalloun, with the linkis and "*cunicularíis*" (rabbit warrens ?) of Heuch, and the thrie mills and granaries of Northberwik with multures, the myln croft, houses, buildings, aqueduct, north medo, and also four crofts beside the town of North berwik, lying in the Lordship of North berwik, constab. of Hadingtoun and shire of Edr. ; and also an annualrent of £190 from the lands of Heuch in security of the foresaid annualrent, with clause containing precept of sasine addressed to Wm. Hay of Wyndene ; Edinburgh, 11th June 1577 ; witnesses, Gilbert Laudir of Quhittislaid, Jas. Ker, son to Radulph K. of Lintolie, John Cant, Rob. Zoung, Jas. Tarbert, and John Zoung writer. Signed and sealed as in No. 796. (*H.*)

799. 16th June 1577. Gift by Robert Commendator of Dunfermeling and the Convent thereof to John Durie, Minister of Chrystis Evangell, sumtyme ane of the conventuall brethir of our said Abbay, and to Josua Durie his son, and longer liver of them for their lives, of a pension of £64 : 13 : 4 in place of his portion due him from the said abbey before the dispersion of the brethir thairof, to be lifted starting at Whitsunday 1577 ; from the readiest feu mails of the lands of Northfod extending to £11 : 14 : 8, the lands of Baith Bonalay and Steventoun extending to £8 : 6 : 8, the lands of Cragdukeis eister and wester extending to £9 : 5s., the lands of Margaret Stane £10 : 4 : 6, lands of Baith Persoun and Syme £7 : 11 : 5, with £4 : 17 : 9 of Silletoun Sanderis, and the remainder of £14 : 13 : 4 to be paid by the abbot and his successors : Dunfermline, 16th June 1577.

Signed R. Dunfermlyn and by John Angus, Alex. Aitkyn, Alex. Stevin, Alex. Huniman, Mark Lun, Wm. Smyth, Thos. Jameson. (*H.*)

Seal of Chapter appended in good condition.

800. 24th June 1577. Charter by Robert Hume of Heuch with consent of Mariota Hepburne, his wife, to William Lord Hay of Zeister and Margaret Ker, his wife, in conjunct fee and their heirs of an annualrent of 40 merks scots from the lands of Heuch ; with clause containing precept of sasine addressed to Rob. Zoung, Andrew Hay and Andrew Ker ; Heuch, 24th June 1577 ; witnesses, David Ker, Wm. Chyrnesyde, John Bassynden and Matthew Stewynstoun ; and dated again at Heuch 8th July 1577, witnesses, Andrew Ker, John Robesoun and Wm. Chirnsyd, "our" servants. Signed by R. H. and M. H., her hand led by Alex. Symsone, N.P. (*H.*)

Seal of R. H. still appended, defaced. The tag for the seal of M. H. has been cut from a 16th century document in vernacular a contract between one John Kennede and Margaret (his spouse ?) and the Earl (of Sutherland ?) anent the half toun, lands and teyndschevis of Clinkirktoun, within the Lordship of Suthirland and shire of Inverness, held by the said earl in fewferm and heritage of the Deans of Caithnes.

801. 8th July 1577. Instrument of Sasine following on No. 798, 11th June 1577, given by Wm. Hay of Wyndene to Andrew Hay in Bothanis, attorney for the grantees ; Heuch, 5 p.m. 8th July 1577 ; witnesses, Wm. Chirnsyde, John Robesoun and Andrew Ker, servants of the said Rob. Home. Alex. Symsone, N.P. (*H.*)

802. 8th July 1577. Paper duplicate of the foregoing also by Alex. Symsone, N.P., but it also contains the name of Grissel Hay, daughter of the said Wm. Ld. Hay and Margaret Ker, as also receiving sasine. (*H.*)

803. 10th September 1577. Instrument of Sasine following on No. 800 (24th June 1577) given personally by the granter to Rob. Zoung, attorney for the grantees: In the Hall of Heuch 11 a.m. 10th September 1577; witnesses, Geo. Wilsoun, Gilbert Tuedie and Andrew Ker, servants of the said R. Home. Alex. Symsone, N.P. (*H.*)

804. 22nd November 1577. Condescendance in Action of Improbation of an Assedation produced by William Lord Hay of Zester, alleged to have been made to him by Robert Commendator of Halyrudhouse for the time and convent thereof, of the teind sheaves of the parish Kirk of Baro, for the space of 19 years from 15th June 1574; and which was dated 5th April 1568; against Adam Bishop of Orkney, now Commendator of Halyrudhouse, showing why the said Assedation should be decerned to be false and to have no faith. 22nd November 1577. (*M.*)

Paper.

805. 23rd November 1577. Instrument of Sasine following on the resignation by David Forros, senior, burgess of Hadingtoun, of his garden lying on the west side of the cemetery of the Parish Kirk of Hadingtoun, once called the Vicar's Manse, between the common way on the West and South and the lands of Rob. Bortwik on the North, reserving the chamber or house of new constructed by Sir John Andersoun on the west side of the said garden to Wm. Hammyltoun, attorney for William Lord Hay of Zester; 9 a.m. 23rd November 1577; witnesses, Wm. Broun, one of the baillies of the burgh, Alex. Symsoun, notary public, Rob. Cokburn, and Andrew Quhitt, serjeant. Thomas Stevin, N.P. (*H.*)

806. 28th November 1577. Charter by David Forrest, son and heir of um. David Forrest, commonly called the Generall of the Cunzie, to complete a contract dated Edinburgh, 26th November 1577, to William Lord Hay of Zaister and his heirs in heritage of his tenement of land on the North side of the High Street of Hadingtoun, between the lands of David Forrest, junior, on the east, the lands of um. Wm. Campbell on the West, common vennel on the North and the High Street on the South; and the large garden anciently called the vicaris mansioun zaird on the west side of the cemetery of the Parish Kirk of H.: and also his foreland low and high, in the Burgh of Canongate of Holyrood on the south side of the High Street thereof, between the land of um. Jas. Thomsoun on west, land of um. Jas. Lamb on east, High Street on North, and lands of —— on south; and his quarter of three tenements, etc. as in No. 786 in special warrandice of the properties in H.: Edinburgh, 28th November 1577; witnesses, David Sinclair of Blanss, Peter Hay, Wm. Lyle, John Zoung, writer, Mr. Rob. Zoung, his son, and Jas. Terbert. Signed "David Forrestt wt my hande." (*H.*)

Seal appended in fair condition.

807. 18th June 1578. I James henrisoune sone of vmquhile Robert henrisoune, maister flescheour to king James the fyft of worthy memorie, witht consent of elizabetht Zoung my spous ffor certane sowmes of money and vtheris gesseris done to ws be oure weilbelouit Neill Layng, keper of oure souerane lordis signet, haif gevin and grantit and be the tennour heirof gevis and grantis to him his airis and successoris full licence liberte and power to stryk out and big ane

bak zet at ye end of his zaird foranent ony pairt of our pece waist land and tenement quhilk merchis witht oure biggit land on ye eist and ye land now perteining to Alexander Wddart baillie and burges of Edinburgh at ye west Quhairby thay may haif fre passage ische and entre furth of his said zaird to ye kowgait at all tymes heirafter throw our said waist and vnbiggit land withtout Impediment as they sall think needfull and it sall nocht be Lesum to ws oure airis nor successoris to cloiss ye said zet But yat it salbe Lesum to ye said Neill his airis and successoris to haif ane heretable passage to ye kowgate throw oure saidis boundis quhidder it becum biggit land or ly waist Nether sall it be Lesum to ws nor oure tennentis at ony tyme to keip muk myddingis or gather fulze withtin the said waist to ye hinderance and stop of ye said passage or to lay the samyn withtin sex fute to his said zaird dyk for the danger of clymming throw heicht of ye saidis myddingis as the dewte of guide nychtbourheid requiris In witnes of ye quhilk thing I the said James hes subscriuit yir presentis witht my awin hand and ye said elysebetht my spous witht hir hand at ye pen led be ye notar wnderwrittin at edinburgh ye auchtene day of Junij the zeir of God Jaj v^c^ threscoir auchtene zeiris Before yir witnessis Maister Jhonne Robertsoune ser williame macdowall and maister robert danyestoune witht vyeris dyverss.

James hendersoune witht my hand.

Elizabeth Zoung witht my hand led at ye pen be ye notar vnderwritten Ita est Johannes Haliday notarius publicus, etc.

Mr. Johene robertsoun, vitnes.

Mr. wilyam mc douell with my hand.

Backed xviij Julij 1578.

The provest baillies and consile ordanis to vesye ye boundis withtin writtn and refere ye wrangis w^t^ in written at reiding to gude nychtbourheid as they will anser vpoune yair office.

(Clerk's sigt. illegible.)

32 Bak yett of the zaird. (*H.*)

808. 28th September 1578. Instrument narrating that John Quhitlaw of Caldsyde was lawfully warned by William Lord Hay of Zester before the feast of Whitsunday last, to remove from six husband lands of Barrow, lying in the town and territory thereof, Sheriffdom of Edinburgh and Constabulary of Haddington, and that he renounced the same in favour of the said Lord, and thereafter compeared James Kempt, officer to the said Lord, and at his command entered William Hay of Wyndene in and to the said six husband lands, conform to appointment between them. Dated 28th September 1578. Witnesses, George Lyle, fiar of Stanypethe, William Lyle, his brother german, Hector Angus and Mungo Romannos. Thomas Stevin is notary. (*M.*)

809. 28th October 1578. Gift under the Privy Seal in favour of Walter Carnecroce, lawful son to umquhile William Carnecroce of Colinislie, and his heirs and assignees, of the escheat of a Tack made by Robert, Commendator of Halyrudhouse and convent thereof, to William Lord Hay of Zester, of the teinds sheaves, &c. of the parsonage of Barro pertaining to the said Abbey of all years still to run, with the escheat of all action which the said Lord Hay had or has to the same. (Excepting always so much corn and fruits as is presently standing in the Stak yairds of Duncanlaw), now in the King's hands through the said Lord Hay being decernit by Decreet of the Lords of Council and Session to have done wrong in deforcing the King's two messengers, John Somerwill and Lues Thorntoun, in the execution of other letters impetrat at the instance of the five daughters and bairns of the late Alexander Kirk at the Kirk of Eclistoun, against him for payment of 200 pounds scots, For which sum the said Lord Hay and John Hay, tutor of Smythfeild, became acted in the books of Adjournal, for satisfaction of the slaughter of their said umquhile father. At the Castle of Striveling 28th October 1578. (*M.*)

Privy seal attached. Paper.

810. 28th October 1578. Contemporary paper copy of the foregoing. (*H.*)

811. 28th November 1578. Instrument of Sasine given by Edward Wricht, baillie of the burgh of Mussilburgh, upon the resignation by John Tempill, dweller in Newbigging, burgess of M., with consent of his wife Margaret Hardie, of an annualrent of £4 scots from his tenement in the east part of M., between the land of Thos. Andersoun on the North, the common Vennel on the South, the common passage leading to said burgh on the east and the High Street on the west, in favour of Joneta Thomsoun, wife of John Douglas, dweller in the town of Inneresk ; 2 p.m. 28th November 1578 ; witnesses, Wm. Duncane in Smetoun, Thos. Finlay in Montounhall, Alex. Prestoun, Ric. Calderwod, Ric. Douglas, Jas. Smart, burgesses and dwellers in the said burgh, and Henry Barke, officer. Robert Bennett, common clerk of the burgh of Mussilburgh, N.P. (*H.*)

812. 8th December 1578. Charter by Rob. Dowglas, Provost of Corstorphin and Vicar of Stobo, confirming charter by Rob. Alexander (No. 788, 7th June 1575). At Edr. 8 Dec. 1578 with David Lawte, writer, Adam Lawte, his sone, John Mitchellhill, burges of Edinburgh, and Rob. Grury (?), ygr. Sgd. Robertus Dowglas, wicarius de Stobo manu ppa. (*H.*)

Seal defaced, but enough remains to indicate arms ermine, a heart on a chief, 3 stars.

813. 10th January 1578/9. Assignation by Wm. Carncroce, son and heir of um. Rob. C. of Culmislie, tacksman of the teind sheaves of the town and lands underwritten, with consent of Mark Hume of Craig and Nicoll Carncroce of Calfhill, his curators, to his weil belouit cousing walter carnecroce, my fader brother, to a Letter of Tack, dated Holyrood 17th September 1511 (1571), of the teind sheaves of Duncanlaw in the parish of Barrow, by the Abbot and convent of Holyrood ; Colmislie, 10th Janry. 1578 : Witnesses, Wm. Home, elder, Wm. Home, ygr., and John Home of Carrissyd. Sgd. by granter and his curators. (*H.*)

813A. 20th February 1578/9. Instrument of Sasine following on No. 788, 7th June 1575, by Gylbert Twedie, burges of Peblis. Done at Wester Hopprew 11 a.m. 20 Feb. 1578/9. Witnesses, John Broun in Vester Hopprew, Alen Vache in Stobo, Rich Vache in Peblis, Edw. Grountoun in Kirkurd. (*H.*)

Note.—Dauid Creichtoun, clerk S. And. dio. auth. Apl. N.P., and Lords of Council.

814. 21st February 1578/9. Precept be Williame lord hay of Zester for geving sasine to Johne hay of Thalek of hayis qrter of linplum 21 February 1578.

Johne hay of tala his sasine of hayis quarter of Linplum, of the dait the 3 of Merche 1578, vnder the note of Alexander Symsone. *Nos.* 74 *and* 75, 1617 *Linplum Inventory.* (*H.*)

815. 3rd March 1578/9. Johne hay of tala his sasine of hayis quter. of linplum of the dait the 3 of Merche 1578, vnder the note of Alexander symsone. *No.* 45 (*sic*), 1617 *Linplum Inventory.* (*H.*)

816. 22nd July 1579. Extract Decreet, Edinburgh 22nd July 1579, by the following lords of Council, Adam Bishop of Orkney, Alex. Commendator of Melross, Mr. Wm. Baillie, Lord Provand, Mr. Rob. Pont, Doctour in Divinitie, Mr. Ard. Dowglas, Parson of Glasgow, Mr. Jas. M'Gill of Rankelour Nether, Clerk of Register, Sir Ric. Maitland of Lethingtoun, knt., Wm. Dowglas of Quhittinghame, Jas. Meldrum, apparent of Segie, and Mr. Thos. Bannatyne, In

the actioun pursued by John Durie, Minister of Christis Evangell in Edinburgh, and John D. his son, against Robert Commendator of Dumfermeling, Adam Broun in Northsyd, Rob. Stenhous there, Wm. Stenhous there, Katherine Chalmer, relict of um. Thos. Smytht there, Henry Peirsoun in Peirsounis Baith, Wm. Thomsone there, John Pollik, Issabell Allesone, Wm. Morgane, Wm. Robertsone, Wm. Broun and Adam Sanderis, Wm. Baxter, Alex. Garlik, and the Convent of the Abbay, who ought to pay pension secured to him (see No. 799) for the years 78 and 79, decerning them to pay. Signed Jacobus Makgill. (*H.*)

817. 23rd July 1579. Extract Decreet, Edin. 23rd July 1579, by Lords of Council underwritten, Robert Commendator of Dunfermeling, Alexander Commendator of Culross, Mr. Wm. Baillie, lord provand, Mr. And. Dowglas, persoun of Glasgow, Mr. Rob. Pount, Prouest of the trinite College, Mr. Jas. Makgill of Rankelour Nether, Clerk of Register, Sir Richart Maitland of lethingtoun, knyt., Mr. David borthuik of lochill, Advocate to our souerane lord, Mr. Thos. M'Calzeane of Cliftounhall, Wm. Dowglas of Quhittinghame, Jas. Meldrum, apperant of Segie, and Mr. Thos. bannatyne. In the action pursued by Valter Carnecorss, sone lauchfull to um. Wm. C. of Colinslie, Mr. David Borthuik of Lochill and Rob. Crychtoun of Elrok, advocate, and Wm. Lord Hay of Yester, Dame Margaret Ker, his spouse, Wm. Carnecorce of Colinslie, Nicoll C. of Calfhill and Mark Hume of Craige, curators underwritten, and Adam bischop of Orkney, Commendator of Haliruidhous, making mention that in an action of Ld. W. Hay of Yester against said Adam Bishop of Orkney, etc. and convent of Halyrood as successors to Rob. Lord Stewart, fewar of Orkney, sumtyme Commendator of said Abbay, to warrand and defend sd. Ld. Y. and his spous in 19 years tak of teinds of Barro. On 2nd July 1577 Mr. Dav. M'Gill, prelocutor for said lord, and Messrs. John Scharpe and Henrie Kinross for Commendator and convent, the letter of tak was declared false, case continued to 1 Nov. 1577 for proof, Wm. Moreson servand to said lord, Rob. Stewart and —— hoppringill tailzeour burges of Edr. summond as witness quhilk action hes sensyse slepitt till 31st Janry. last when Mr. John Scharpe, procurator for said Walter Carncroce produced a gift of escheitt of the tak of the teynd shewis, past under the Privy Seal, to the said lord and lady by said Rob. Stewart sumtyme Commendator by our soverane lord to the said Walter and an Assignation of another tak by Wm. Carnecroce of Colinslie on 2 Feb. said lordis admitted said Walter's entres the said Lord Z. lost his tak by deforcing of an officer which was granted to said Walt. and the right of umle. Wm. C. pertains to Walt. C. as cessioner, Wm. Lord Hay compeared be Mr. D. Makgill (his spous deceased since intenting of said action) and Adam bishop of Orkney personaly present. The Lordis of Counsale ffindis and declaris the teynds belong to said Walter Lord Z. having lost as before mentioned by decreet 25th June 1578 and Walter obtained cession from Wm. C. and curators on 10th Jany. 1578/9. Ext. sgd. Jacobus Makgill.

May Ker died between 2nd July 1577, or 1st November 1577 and 31st Jany. 1578/9.

818. 23rd December 1579. Licence by Robert, Commendator of the Abbey of Dumfermeling, as superior to Mr. Jas. Makgill, younger son of uml. Mr. Jas. M. of Nether Rankelour, with consent of his mother Jonet Adamson, to sell an annualrent to the value of 500 mks. yearly from the lands of Pinkie and Kerss in the Lordship of Mussilbbart Regality of Dunfermline and shire of Edin. Edr. 23 Dec. 1579. Sgd. R Dunfermling.

Seal appended, broken.

819. 13th January 1579/80. Instrument of Sasine by Andrew Cunynghame, burges of Dumfries, to Wm. Master Hay of Zester (*sic*) in terms of a charter containing precept of sasine by William Lord Hay of Zester, in imple-

ment of a contract between him and his son Wm. Master of Zester on one part and John Lord Herreis and his daughter Mary Maxwell on the other, for the marriage of Wm. Master of Zester and Mary M., dated Edr. 5th Nov. 1576, to said Wm. Master of Z. and M. M. his spouse and their heirs male, whom failing etc., of All and whole the Barony of Snaid, Dumfrieshire, barony of Meggot of Olivercastel in Peebleshire, Reserving terce of Snaid Meggot and Olivercastell to my mother Margaret Levingtoun. Dated Edr. 9th Aug. 1579; wits. Jas. Cokburn of Scraling, knt., Dav. Sinclair of Blans, Rob. Gourla burges of Edr. and Thos. Blair. Done at the principal mansion of Snaid in the Parish of Glencarn 11 a.m. 1579 Jany 13. Wits. And. Cunyngham of Brekschaw, Rob. C., his brother german, John C., John Dowglas *alias* Blew John, John Makynke. (*H.*)

Note.—John Makcass (or Makcall), Clerk Glas. dio. N.P. Royal Auth. and Lds. of Council.

820. 23rd January 1579/80. Confirmation under the Great Seal of No. 799, 16th June 1577: Holyrood, 23rd January 1579: No witnesses. (*H.*)

Fragment of Great Seal appended.

821. 31st January 1579/80. Fragment of Extract Registered Contract between William Lord Hay of Zester and John Hay of Tallo, whereby Lord Hay warrants J. H. in possession of two quarters of Linplum and Hay's quarter of Linplum and in kindly maling of the white quarter of Linplum; and on payment of money John Hay undertakes to resign absolutely the lands of Tallo, Peeblesshire, burdened with an annualrent to Alex. Achesoun, to his superior Lord Hay, reserving his lands of Kingildurris; and constituting Mr. John Moscrop, Edmond Hay and Alex. King procurators to register the said contract: (*Edinburgh*, 31*st Jan.* 1579, see *Reg. Deeds*, XX(I) f. 290*b*, *unfortunately also in bad condition*): Witnesses, Mr. David M'Gill of Neisbit, advocate, John Moscrop, advocate, Alex. Symsoun burgess, —— Cathcart, servitor to said Mr. David. Signed by Wm. Lord Hay of Zester, John Hay of Tallo, (Wm. Hay) apperand of Tallo, and Wm. Hay (in Wyndein v. R.D.). Extracted by Alex. Hay. Registered 14 Feb. 1581/2. (*H.*)

822. 11th February 1579/80. Discharge by Walter Carnecroce, father's brother to William Carnecroce of Colinislie, in favour of William Lord Hay of Zester, for 400 merks as part payment of 1200 merks, contained in Decreet Arbitral pronounced by Archibald Earl of Angus, of date 10th February 1579, anent the tacks of the teind sheaves of Barro specified therein. At Edinburgh 11th February 1579. Witnesses, James Ormestoun, David Sinclair of Blans, William Lill, servant to Lord Zester. (*M.*)

Paper.

823. 12th February 1579/80. Instrument of Sasine following on a charter, dated Edinburgh 11th February 1579, by Mr. Jas. M'Gill, advocate, son of um. Mr. Jas. M'Gill of Nether Rankelour, with consent of his mother, Janet Adamsoun, of an annualrent of 100 merks from the lands of Pinkin and Carss to Robert Richardsoun, brother of Jas. R. of Smetoun, and his heirs male of his body, whom failing his brother Jas. R., etc., with clause containing precept of sasine addressed to Rob. Bennet, dweller in the town of Mussilburgh, and witnessed by Mr. David M'Gill, advocate, John Adamesoun, burgess of Edr., Jo. Johnesoun, Mr. John Kene, writers, and John Arnot, burgesses of Edr.: 1 p.m. 12th Feb. 1579; witnesses, John Richardson in Newbigging, Ric. Dowglas, John Smart, Edward Galloway, John Burn, dwellers of the town of Mussilburgh, Mr. Geo Nesbet, Master of games (ludimagister) there. and Jas.

Richardsoun, servant to said R. R. Signed Joannes Kene, notarius in premissis requisitus. (*H.*)

Paper.

824. 29th April 1580. Extract Decreet by the following Lords of Council, Mr. Wm. Baillie, Lord Provand, Adam Bishop of Orkney, Mr. Alex. Dunbar, Dean of Murray, Mr. Archd. Dowglas, parson of Glasgow, Mr. Rob. Pont, Provest of the Trinity College, Mr. Pat. Waus of Barnbarroch, Parson of Wigtoun, Sir Ric. Maitland of Lethingtoun Knt., Mr. David Borthuik of Lochthill advocate to our Soverane lord, Mr. Thos. Makcalzeane of Cliftounhall, Wm. Douglas of Quhittingame, Jas. Meldrum, apparent of Segie, Mark Commendator of Newbottill, Mr. Thos. Bannatyne of the Kirktoun of Newtyle, Decerning William Lord Hay of Zaister to defend Hew Creichtoun in a tack, dated 26th Feb. 1578-9, made by him and his son William Master of Zaister to the said Hew of the three markland of Auchinpatrik in the barony of Snaid, Dumfriesshire, against Archd. Mcconeill, Andro M'gowne, Thos. M'gowne, Katherine M'Gowne, Jonet Maxwell, Wm. Mullekin and John Tennand; Edinburgh, 29th April 1580. (*H.*)

825. 22nd August 1580. Acquittance by Walter Carnecros, brother german to um. Rob. C. of Colmislie, to William Lord Zester for 800 marks in final payment of 1200 marks due in terms of a decreet arbitral by Archd. earl of Angus and Mr. Archd. Douglas, parson of Glasgow, anent the tack of the teinds of Duncanlaw, and constituting Mr. John Schipe his procurator to register the said deed: Haddington, 22nd Aug. 1580: Witnesses, Wm. Hay of Wyndane, Wm. Slowane, Mr Walter Hay, provost of Bothans, Jas. Ormistoune, Gawin Hamyltoune and Rob Zowng. Signed by the granter and witnesses. Slowane signs "William Asloan witnes." (*H.*)

825A. 29th September 1580. Mitchelsounes reuersionn to thomas pringell of ane @rent of ten pundis out of the landis of Milkestoun of the dait 29th Sepr. 1580. *No.* 192 *of Minute of Writs received by Margaret Ker, Lady Zester*, 1617. (*H.*)

826. 12th October 1580. Grant under the Quarter Seal to William Lord Hay of Zester, superior of the underwritten lands, and his second son, James Hay, of the £20 lands of Auchmure, Forfarshire, pertaining to um. Andrew Ker, brother of Sir Thos. Ker, once of Pharnihirst, knt., and now in the King's hands through the forfeiture of the said Sir Thos. heir of Andrew: Halierudehous, 12th October 1580. (*H.*)

Quarter seal, in fair condition, appended.

827. 14th October 1580. Procuratory of Resignation by Master John Pitcarne of that Ilk, heritable feuar of the mills underwritten, constituting John Davidsoun and John Walwod, elder in Toucht, his procurators, for resigning in the hands of Robert Archdeacon of St. Andrews, and Commendator of the Monastery of Dunfermline, of the corn mill of Coilzeraw, and the two corn mills lying under the wall of the said Monastery called "lie heuch mylnis," with mill lands, etc., lying near the burgh of Dunfermline, in the parish and regality thereof and shire of Fife, In favour of James Murray of Perdewis and Agnes Lyndesay, his future spouse, the survivor of them in conjunct infeftment, and the heirs lawfully to be procreated between them, which failing to revert to the said Master John Pitcarne and his heirs At Dunfermline 14th October 1580. Witnesses, John Auchmowty of Eister Ferny, Thomas Toscheaucht, Chamberlain of the monastery of Dunfermline, David Pitcarne, and David Kingorne, notary public. (*M.*)

The seal of the said Mr. John Pitcarne is appended, complete.

827A. 20th October 1580. Late 16th century copy of a Tack by Robert Commendator of Dunfermline to John Ross of Craigy of the Kirk of Perth baith personage and viccarage with all the teinds, etc. for 19 years from Lammas 1584 paying yearly £120 and 10 marks ; 20th Oct. 1580. On the same paper as No. 759, 28th May 1569. (*H.*)

828. 20th October 1580. Charter by Robert, Archdeacon principal of S. Andrews, Commendator of Dunfermling and the Convent thereof, to James Murray of Perdewis and Agnes Lyndesay his spouse in conjunct fee, and his heirs in fee, whom failing to Mr. John Pitcarne of that Ilk and his heirs, of their Mill of Coilzeraw resigned by said Mr. John Pitcarne in favour of J. M. and his wife, and also two mills lying below the wall of the Monastery called the Heuchmylnis, with the mill lands and multures lying near the burgh of D. and parish and regality thereof, Fifeshire ; Paying yearly the sum of £13 : 6 : 8 scots with 16 capons and 13s. 4d. in augmentation and a sum of 3s. 8d. to the Master of the boys ; with clause containing precept of Sasine addressed to Thos. Toscheaucht, chamberlain of Dunfermline : Monastery of D. 20th October 1580 ; no witnesses. Signed by R. Dunfermling, Thos. Burne, John Angus, Alex. Aitkyn, Mark Lun, Alex. Stephin, Thos. Jamesone, J. Henrisone, Wm. Lumisden, Andrew Gray, Alex. Hunimann and Wm. Smytht. (*H.*)

Fragment of chapter seal appended. Endorsation bears that this document was produced and registered at Edinburgh 29th October 1598.

829. 22nd October 1580. Instrument of Sasine following on No. 828. Done at the Mill of Coilzeraw and Heuchmylnis between 11 a.m. and midday, 22nd October 1580 ; witnesses, John Walwod, senior portioner of Touch, David Heriot in the new Mill of Kirkforthoure, Wm. Pratus burgess of D., Jas. Kellok miller, John Kellok his son, and Jas. Schortus burgess of D. Jas. Kingorne, Clerk of the Regality of D., N.P. (*H.*)

830. 23rd October 1580. Instrument of Sasine by Gilbert Kennedy, Baillie of the Burgh of Dunfermline, following on the resignation by Jas. Murray of Perdewis of a tenement in Maygaitt, Dunfermline (see No. 774), in favour of himself and his spouse Agnes Lyndesay, in completion of a marriage contract between John Murray, apparent of Tullybardin, and the said Jas. M. and Mr. John Pitcarne of Forther, John Lyndesay, apparent of Kirkforthour, and Agnes Lyndesay his (James's) spouse : Done between 2 and 3 p.m. 23 Oct. 1580 ; witnesses, John Walwod, senior portioner of Touch, Jas. Schortus, burgess of D., Wm. Pratus there, David Heriot at the mill of Kirkforthour, Alex. Oiswald, servant of said J. M., and Thos. Vreycht serjeant, Jas. Kingorne, Clerk of the Regality of D., N.P. (*H.*)

831. 8th November 1580. Instrument of Sasine whereby John Hay of Linplum in implement of his part of a contract between him and his brother William Hay in Wynden and Margaret Hay his spouse, on the one and other parts, of date at Linplum 4th November 1580 : infefts the saids William and Margaret in an annualrent of 180 merks, furth of the lands of Wynden, Linplum and Crukis, lying in the Constabulary of Haddington and shire of Edinburgh. Instrument dated 8th November 1580. Witnesses, William Hay, younger of Linplum, John Reidpetht, his servant, Mungo Leis, servant to said William Hay in Wynden, and Alexander Symsoun co-notary. Thomas Stevin is notary. (*M.*)

832. 8th November 1580. Instrument of Resignation by Mr. Archibald Douglas, persoun of Glasgow, one of the Senators of the College of Justice, and Dame Jane Hepburne, Mastres of Caitnes, his spouse, in favour of John Hay of Linplum, of an annualrent of 200 merks, furth of the lands of Lynplum, Wynden and Crukis, on payment of the redemption price of 2000 merks, conform to contract between said parties, registered in the Books of Council the —— day of

—— 1580. Instrument dated 8th November 1580. Witnesses, Thomas Spottiswod, Robert Leirmonth, burgesses of Haddington, Robert Martyne in Maynshill, William Martyne his son, Alexander Sinclair, servitor to the said Mr. Archibald, and Thomas Stevin co-notary. Alexander Symsoun is notary. (*M.*)

832A. 9th December 1580. A Charter by Dame Issabell Hepburn, prioress of the Monastery of Haddington, to Pat. Lord Lindsay of Byres and his heirs of the Mains of the Monastery of Haddington, Moortonehall, West Hope, Woodend, East Hope, Newton lands, Rynslaw, Snawdone, Litle Heirtone and Carfrae, with the teinds of the said lands : 9th Dec. 1580. *No.* 1, *Inventory of the Steeds*, 1688. (*H.*)

833. 9th April 1581. Precept from Chancery to Jon Lord Hay of Zester, baron of Olivercastell, whereas Andrew Mowbray has been retoured heir of his grandfather A. M. in £5 and ½ half of the higher west part of lands of Hardstoun and annualrent of 6 merks of the ½ of the lower west part of Hardstanis in barony of Olivercastell. At Edr. 9 April 1581. (*H.*)

833A. 22nd April 1581. Certified Transumpt of No. 785 made in the Regality Court of Dunfermline held in the Tolbooth of D. by Wm. Durie of Medowend, baillie depute, on 22nd April 1581, at the instance of David Brown, N.P. and Common Clerk of the Burgh of D., as procurator for Thos. Phyn, son of um. Jas. P. in Bruntland, from the skrowis and prothogall of um. David Kingorne, N.P., produced by his son Jas. Kingorne, N.P., and examined and recognised by Allan Cowttis, elder of Grange, Thos. Toscheauche, chalmerlane of Dunfermling, Alex. Aitken, and Alex. Stephane, conventuall brether of the said abbay, and John Boiswell in Dunfermling, baillie and giver of the said sasine. Extracted and signed by James Kingorne, N.P., Clerk of the Regality. (*H.*)

834. 12th August 1581. Reversion by Patrik Tuedie, sumtyme in Cloych now in Jedburghfeild dwelland, and Jane Cokburne his spouse, of the lands and mains of Jedburghfeild lyand besyde the castell of Neidpeth withtin the schirefdome of Peblis, Except sa mekle thairof as lyis besouth the gait that passis fra Peblis to Edstoun and the landis and sowmes gerss occupiit be patrik kar and robert reid and contenit in their tackis thairof and to the gairdene of neidpeth sa mony sowmes gerss and pasturage thairon as he hes bein in vse of, sold to them by James Lord Hay of Zester with advice and consent of Mark Lord of Newbottil in favour of the said Lord Hay and his heirs on payment within the Croce Kirk of Peblis of the sum of 2000 merks scots : At the Castell of Neidpethe 12th August 1581 ; witnesses, Alex. Borthwik, brother german to Jas. Lord Borthwik, Mr. Wm. Hay, Wm. Hay and Alex. Kar.

Signed by P. T. and his wife J. C., with her hand led by Jas. Gray, N.P., and Jas. Tuedie, N.P. The witnesses, except Wm. Hay, sign also. (*H.*)

Seals gone.

835. —— 1581. Letter of Tack by William Lord Hay of Zester to his servitor William Hay, son of um. Mr. John Hay of Smeythtfeild of his three acres of croftland at the East Port of the Burgh of Peebles, between the lands of Jas. Tuedy on the east, the lands callit Lawsonis landis on the west, the Kingis Streit on the south, and the Fuid law on the North, partly occupied by John Mosman, entry at Whitsunday 1582 ; Paying yearly three bolls of malt at Martinmas at —— 1581 ; no witnesses. Signed. (*H.*)

836. —— January 1581/2. Rental of the Barony of Snaid, within the Parish of Glencarne, belonging to my Lord Zester, The three merklands in the umaist part of the barony, occupied by Thos. Makgowne, Micheal Makkitrik,

and Thos. Moffett; The Buss, Christian Fergusone; Coittisone, Andro Cunynghame; Cuniesone, John Smytht; Over Bordland, Wm. Taggart; Nether Bordland, Andro Cunynghame; The Schaw, John Cunynghame: Gilmursoun, Cuthbert Greir; Garriochsoun, Habbie Cunynghame; Kiddisoun, Andro Cunynghame; Gordounsoun, Eduard Creichtoune, the same was wadset by the Master's grandschir to um. Ninian Creichtoun gudschir to this Eduard; The eist syde of ye Watter; Over Laggane, Beggis (?) Maxwell; Nether Laggane, Beggis (?) Maxwell; Brekansyde, the Laird Wallace and David Ferguson; Over Sleaittis (?), Cuthbert Maklain; Mid Sleaithis (?), Andro Makgowne; Nether Sleaittis (?), Andro Cunynghame: Dardaroch, Andro Cunynghame; Wodheid, Andro Cunynghame; and Clowresoune (?), Andro Cunynghame. (*H.*)

Paper, torn and in bad condition.

837. 30th July 1582. Tack by Marie Maitland, lawful daughter to Sir Richard Maitland of Lethingtoun, Knight, and principal tackswoman of the teind sheaves of the parish of Boltoun, in favour of John Cranstoun, son and apparent heir of Richard Cranstoun of Skatisbuss, his heirs, assignees and subtenants of no higher degree than himself, of the teind sheaves of the town and lands of Marwyngstoun, pertaining to the said Richard Cranstoun in feu and heritage, lying in the parish of Boltoun, Constabulary of Haddingtoun and shire of Edinburgh; for the space of 19 years, for the yearly payment of ten merks. At Edinburgh 30th July 1582. Witnesses, Mr. John Maitland of Thirlstane, her brother, James Hereot of Trabroun, and Andro Kneland, servant to the said Sir Richard Maitland. (*M.*)

Seal of the granter is appended, broken.

838. 15th June 1582. Instrument of Resignation by Thomas Moffet, callit Thomas Lyn, and Robert Moffat in Crimpcramp, his assignee, to George Moffet in the Grantoun, his heirs and assignees, of all right, title, kindness and possession which he had to a quarter of Nether Mynzeane, lying in the shire of Peebles, on payment of the redemption price of 42 pounds scots. Dated 15th June 1582. Witnesses, James Moffet in Mekieholesyd, James Moffet in Garmyltoun, Gilbert Moffet in Corresfame and William Moffet, David Mayn is notary. (*M.*)

Paper.

839. 26th October 1582. Extract Registered Contract of Marriage, dated Edinburgh 26th Oct. 1582, between William Lord Borthuik and James Master of Borthuik his son, with advice of his said father as tutor, etc., with consent of their kinsman John Borthuik of Glengilt, Andro Hart of Leweland, brother-in-law to the said Lord, on the one part, and William Lord Hay of Zester and his daughter Margaret Hay on the other, whereby Jas. and Margaret are contracted to marry each other before —— November next, Margaret to be infefted in liferent in the lands of Haltrie, in the Lordship of Stow, regality of S. Andrews, Herveistoun, Hethepuill, Swynidhoip, Scheilgrein atle (?) Ormestoun in the barrony of Quhitfeild. Registered 26th Oct. 1582. (*Register of Deeds*, Vol. xx.[2], fol. 309*b*.) (*H.*)

A fragment.

840. 20th August 1583. Instrument of Sasine by Robert Broun following on and narrating precept of sasine contained in charter by William Lord Hay of Zester to Mr. John Moscrop of his dominical lands called the Mains of Lochquhorrate with the Mill and Mill lands, the lands of Afflekhill and of C[illegible]rye in the barony of Lochquhorrate, Edinburghshire, dated Bothanis, 17th [illegible]y 1583, witnesses, Wm. Hay in Wyndane, Thos. Scott, Andrew Hay, servitors of the said Lord, and John Symsoun: precept addressed to Wm. Hay in Wyndane and Robert Broun; Sasine given between 11 and 12 a.m. 20th

August 1583; witnesses, John Stenehope of Stanehopmylne, Rob. Baxter in Clerkingtoun, John Baxter there, Alex. Patersoun in Borthuik and Wm. Bellenden in Stobbis. Jas. Borthuik, N.P. (*H.*)

841. 3rd October 1583. Charter by James Sandelandis of Calder, Lord of Torphichen, with consent of Henry Stewart, younger of Cragyhall, his tutor, in favour of Gregory Daill, indweller in Barro, in liferent, and William Daill, his son and apparent heir, his heirs and assignees in fee heritably, of the temple lands of Barro lying on the south part of Barro, between the lands of Mayland on the east and Brounhill on the west, the public road on the north, and the stream between Barro and Newtoun on the south, with common pasture on the commonty of Barro and Duncanlaw used and wont, with pasturage of 18 animals, one stud mare, one brood sow, two brood geese and free transit to the Commonty foresaid, by the bounds underwritten, beginning at the Muirclewcht and passing near the east end of Barrowmyre and ascending by Muirclewcht to Wyndyraw and eastward towards Wyndyraw dyke and descending "lie" Greinclencht to Crummysyde myre then passing eastward to "lie" Flakersydbrig and thence to Zallowpeth, thence towards that part called Hellishoill and ascending to Weldenclewcht, and thence to Choramwell and Craigfurde westward towards Sundonemyre lying by Crofts of Duncanlaw, and thence to the Litgaitt towards Fleschefurde, Dounwellburne to Duncanisbog and Gunnishawcht to the Nether muir of Duncanlaw bowbrig of Bothanis to the Quhittohauch and Sandifurde and eastward to the common pressis land to Wynden myre and ascending Wyndhauclewcht to the crofts of Duncanlaw and from the common meadow eastward to the Skeamuir and Barrokirkstyill and eastward from Barrow to "lie" Braidschott, within the Constabulary of Hadingtoun and shire of Edinburgh; following on resignation by the said Gregory Daill. To be held of the granter and his heirs in fee and heritage, for yearly payment of four shillings scots at Midsummer. At the Burgh of Haddingtoun 3rd October 1583. Witnesses, James Stewart, brother german to said Henry Stewart, James Stewart, his natural brother, Thomas Huntlie, his servitor, John Symsoun, writer, Alexander Symsoun and Alexander Lawsoun, notaries. (*M.*)

The seals of the granter and his tutor are appended, both somewhat defaced and broken.

842. 3rd October 1583. Bounding of the Commonty of Barro extracted out of the Charter of Gregorie Daill, 3 Oct. 1583. A 16th century copy of the boundaries mentioned in the foregoing charter. (*H.*)

843. 1st, 2nd and 6th February 1583/4. Extract Registered Decreet Arbitral pronounced by Mr. William Hart, Advocate chosen for the part of William Lord Hay of Zester, on the one part, and Mr. John Skene advocate chosen for the part of Patrick Brown of Coalstoun, on the other part, anent the division of the Myresyde Moss and Myre ends of the same, lying between the lands of Duncanlaw and Coalstoun: The said Arbiters decern the said Myresyde Moss and the green lying at the west end of the same, so far as the same lies in length and breadth outwith the dykes and arable lands of Duncanlaw shall be divided equally, by in putting of props, meiths and marches from the east end of the said moss to the west end of the said green which passes to the Sandyford, and the one half of the said Moss and west green lying next adjacent to the lands of Duncanlaw, to pertain to the said Lord Hay and his heirs in property, in all time coming; And the other half of the said Wester green with the half of the said Moss next adjacent to the said lands of Myresyde to pertain to the said Patrick Broun and his heirs in property in all time coming. Dated at Edinburgh 21st December 1584. Witnesses, John Brown, collector and burgess of Edinburgh, Mr. Robert Irvin servant to said Mr. William Hart, and David Fletcher servant to the said Mr. John Skene, with compromise or Blank relative thereto dated at Bothans, Coalstoun and Edinburgh, 1st, 2nd

and 6th February 1583. Witnesses, William Hay of Wyndene, Thomas Scot, Gawin Thomson, John Brown, Burgess of Edinburgh, Andrew Brown, Thomas Brown and David Fletcher. Registered at Edinburgh 29th January 1584. (*Register of Deeds*, Vol. xxiii., fol. 120.) (*M.*)

Paper.

844. 20th May 1584. Instrument on the redemption by Mr. James Makgill of Nethir Rankelour and Jonet Adamsone, relict of um. Mr. Jas. M. of N. R., sometime clerk Register, from Robert Richardsoun, brother to Jas. R. of Smetoun, on payment of 3000 merks scots of an annualrent of 300 merks scots from the lands of Pinkin and Carss (see No. 823). Done in the said Jonetis dwelling hous in Edinburgh in the Ovirgalrie of the samen about thre horis efter none; witnesses, Jas. Richardsoun of Smetoun, John Adameson, brother to the said Jonet, David Kinloch, John Arnot, burgesses of Edinburgh, Mr. David M'Gill, brother to the said Mr. Jas., Nicoll Turnbull, and Thos. Moscrope, servants of the said Jas. R. of S. John Kene, N.P., and Rob. Gairdiner, N.P. (*H.*)

Paper.

845. 11th July 1584. Charter by William Lord Hay of Zester to John Harkles, domestic servant of the King, in the chamber under the cubiculars, and Alison Morton his spouse, in conjunct fee and their heirs of an annualrent of 100 merks scots from the lands of Sherefsyde in the barony of Dunkanlaw, constab. of Hadingtoun; with clause of precept of sasine addressed to Andrew Hay in Bothanis: Neidpeth, 11th July 1584; witnesses, Andrew Hay in Bothanis "my" servitor, Wm. Cokbarne of Newhall, Thos. Scott, his servitor, and Jas. Lawder, dweller in Edinburgh. (*H.*)

Signature cut out and seal gone to denote cancellation.

846. 16th December 1584. Extract Registered Ratification by Sir Lues Bellenden of Auchnoule, Knight, Justice Clerk, of a Charter (No. 724) granted by him in his minority, with consent of Sir John Bellenden of Auchnoule, Knight, his father and curator, in favour of the late William Maitland of Lethingtoun younger, his heirs male and others bearing the Arms and name of Maitland, of the lands of Mervingstoun, in the barony of Boltoun, shire of Edinburgh and Constabulary of Haddingtoun. Dated at Edinburgh 12th December 1584. Witnesses, Sir John Maitland of Thirlestane, Knight, secretary to His Majesty; Mr. Thomas Bannatyne of Newtyle, one of the College of Justice, and Alexander Hay, Clerk Register. Registered at Edinburgh 16th December 1584. (*Register of Deeds*, Vol. xxiii., fol. 56*b.*) (*M.*)

Paper.

847. 2nd January 1584/5. Procuratory by Nigell Layng, Keeper of the Signet, to —— for resigning his land within the tenement of um. Henry Swift, bounded by the s. gable of land of um. Wm. Lamb, now of heirs of um. Dav. Tod, on N., waste land and garden of sd. Nigell and his wife Eliz. Danelstoun on S., tenement of sd. um. Dav. Tod on W., lands of heirs of um. Alex. Anderson and of um. Rob Lamb, now Rob. Ker, And. Hunter and heirs of um. John Sprottis in the Vennel called sanct Marie Wynd on E. Also land and dwellinghous of um. Alex. Zoung, scribe and N.P., the tenement of sd. um. Dav. Tod on the W. side of the close between the sd. lands on S. and N., and sd. close on E. and close of tenement of Dav. Stevinstoun on W. Also the waste and built land once of um. Alex. Freir and thereafter of Alan Lauder, son and heir of um. Wm. Lauder, burgess, within the tenement of um. Thos. Fotheringhame on S. side of King's st. between tenement of um. Dav. Tod on E. and tenement of um. And Doubray on W., lying between the gable of another land of sd. um. Alex. freir on N., of land of um. Rob. Carmichaell on S. Also garden in the tenement of Thos. Fothingham. Also garden in the tenement of Jas. Henderson in the

Cowgate In favour of his cousin Mr. John Layng and Rebecca Danelstoun his wife, reserving his own liferent interest and that of his wife Eliz. Dunelstoun.

Edr. 2nd Jany. 1584. Wit. John Cokburne of Clerkingtoun, Mr. Geo. Halkett, conservator of the Privileges of this Realm, Mr. Rob. Danelstoun, Mr. Alex. Thomson and Peter Hewatt. Sgd. Neill Layng wt my hand (very shaky), Pat. Hewatt, Jo. Cokburne witness, R. Deniston witness. (*H.*)

848. 22nd March 1584 5. Gift under the Privy Seal to John Gib, one of the varlets of the King's chalmer, of the office of Keeper of oure place and zairdis of Dunfermline quhatsumevir alsweill possest be vmquhile Robert commendator of dunfermline as be the monkis and conventuall brether of the said abbacie depairtit this present lyif (Except the zairdis allanerlie possest be ye monkis of the said abbay presentlie on lyif), for all the days of his life: Halieruidhous, 22nd March 1584. (*Reg. Sec. Sig.*, Vol. lii., fol. 47.) (*H.*)

Fragment of Privy Seal appended.

849. 29th April 1585. Instrument of Sasine by Wm. Fairlie, baillie of the large mansioun high and low with 3 closes, viz.: That of um. Alex. Young now of James Broun, another called surstis close, and a third called once bassindenis close now stewinsonis close and having an entry at the back from the Kowgate thro the lands of Jas. Henrysoun, bounded by a waste land of Nigell Layng, the close of Jas. broun, merchant, and lands of Rob. Tod on N., and "pheristerium" of Geo. Kincaid, merchant, and garden of Alex. Wddart on W., lands of Jas. Henrysoun on S., Chapel of St. Marie and tenements and lands of Alex. Crich, John Robesoun "Lanoni" (skinner), Jas. Curle, Allan Bryntoun, Thos. Abernethy, Mr. Ard. Grahame and John Scott in the vinell called Sanct Mary Wynde on E. And also a waste land lying on N. side of said home bounded by its close on S., sd. lands of Jas. Broun and Rob. Tod on W., tenement of sd. Rob Tod on N., and the lands of Andrew Hunter, Wm. Spcoltie and Gilb. M'quhuen on E. Resigned by Nigel Layng, reserving his own and the liferent of his wife Eliz. Danelstoun, to Mr. John Layng and Rebecca Danelstoun, his wife. Done 8 a.m. and 29th April 1585. Jas. VI. an. reg. 18. Wits., Alex. Hay, clerk Reg., Adam Thomesoun, apothecary, Mr. Rob. Danelstoun, Wm. Sym, goldworker, Mr. Walter Hay, minister, and John Hunter, servand. Notary, M. Alex. Guthre, etc. (*H.*)

Seal gone.

850. 3rd June 1585. Charter by William Lord Hay of Zester in terms of a contract between him on one part, and Helen Home, relict of um. Rob Quhitlaw in Burnes, for herself and as administrator of her only daughter Issabella Quhitlaw and Robert Q. her son, with the consent of Sir Pat. Hepburne of Lufnes, now of Wauchtoune, knt., tutor testamentary of the saids Isabel and Robert, dated Bothanis and Lufnes 3rd June 1585, to the said Helen in liferent and her son Rob. Q. and his heirs in fee of an annualrent of 50 merks scots of the granter's lands of the lordship of Zester; Bothanis, 3rd June 1585; witnesses, David Sinclare of Blanss, Wm. Hay in Wyndene, Wm. Lawder, Thos. Scott, Andrew Hay "my" servitors. (*H.*)

Signed by Sinclare and Wm. Hay. Granter's signature cut out to shew cancellation. Seal appended defaced.

851. 13th June 1585. Instrument of Sasine by John Wauchop, brother of Wm. Wauchop of Nutherie Marschell, following on a charter by William Hay Lord Zester, with consent of his son James Hay, to George Wauchop, burgess of Edinburgh, of an annualrent of 100 merks scots from the said lord's lands of Ugstoun, constab. of Hadingtoun, dated at Bothanis 3 April and Paris in France 10 May 1585, witnesses, David Sinclar of Blanss, Wm. Hay in Wyndene, Wm. Asslowane, burgess of Edr.: and in Paris, Jas. Forrester of Corstorphene, Mr. Jas. Haldene, John Forrestear, and Rob. Cowper, merchant of the said town of

Edr. Sasine given to Archibald Wauchop, fear of Nuthrie-marchell, as attorney for G. W. : Done at Ugstoun, 6 p.m., 13 June 1585 ; witnesses, Pat. Fleming, son of um. Pat. F., burgess of Edr. and servitor of said Archibald Wauchop, John Patersoun in Dunce and Thos. Strachin in Ugstoun. Rob. Gairdner, N.P. (*H.*)

852. 24th September 1585. Instrument of Sasine by Andrew Hay following on a charter by William Lord Hay of Zester to Wm. Vatche, ygr. of Kyngsyde, and his wife Catherine Toddener in liferent and their heirs in fee of an annualrent of 228 merks scots from his lands of Park in the lordship of Zester, constab. of Hadingtoun, dated at Bothanis 24 Sept. 1585 ; witnesses, Mr. John Moscrop, advocate, Thos. Scot, Wm. Lauder, Andrew Hay, servitors of the said lord, and Adam Mathesone ; Done at the Mansion of Park, 1 p.m., 24 Sept. 1585 ; witnesses, Wm. Lauder, John Wacheman, servitors to the said lord, John Mathesone and Thos. Toddener. Mr. Alex. Kellie and Adam Mathesone notaries. (*H.*)

853. 11th October 1585. Instrument of Sasine by Wm. Hay, baillie, in terms of Precept of Clare Constat by William Lord Hay of Zester, baron of Duncanlaw, to Ard. Dowglas "Claviger," Wm. Hay and And. Hay for Wm. Hay, son and heir of John Hay of Lynplum, in thrie quarters of lands of Linplum, viz., bodyis quarter, Makdowgallis quarter, and hayis quarter, and the lands of Wyndene in the barony of Duncanlaw, etc. And also the lands of Craigkingelduris in barony of Olivercastell (except the quarter in which Mr. Andrew Hay is seized). Dated Bothanis 18 Sept. 1585 ; wits., Capt. John Davidsoun, Ard. Dowglas, "claviger," Wm. Lawder and And. Hay. Done at Craigkingilduris 11 a.m., 11 October 1585. Wits., Dav. Welsche, John Welsche and Geo. Welsche, his sons, Alex. Huntare mert. and Jas. Halden, son of um. Ninian H. in Strikfeild. Heny Bickartoun, Cl. S. And. dio., N.P., lords of Council. (*H.*)

854. 12th October 1585. Reversion by George Wauchop, burgess of Edinburgh, following on No. 851, for payment in the Laich tolbuith of Edinburgh, where Sanct James the apostillis alter was sumtyme situat, of the sum of 2000 merks scots, aucht penny, foure penny grottis, stampit plackis and stampit pennyes exceptit ; At Innerweik, 12th Oct. 1585 ; witnesses, Alex. Hamiltoun of Innerweik, Hew Hamiltoun of Creichtnather his brother, Michael Bonkle, minister of Innerweik, John Hamiltoun in Garene, Mr. Quintene Prestoun, apothecary, and Peter Hewatt. writer, as N.P. Signed by G. W. and P. H. as notary. (*H.*)

Seal gone.

855. 19th October 1585. Sasine on Precept of Clare Constat by William Lord Hay of Yester in favour of William Hay as nearest and lawful heir of the late John Hay of Linplum, his father, in three quarter parts of the lands of Linplum, viz. :—in the fourth part of the lands of Linplum called Makdowallis quarter, the fourth part of the lands of Linplum called Hayis quarter, the fourth part of said lands called Boydis quarter, and the third of Wyndene, lying in the barony of Duncanlaw, Constabulary of Haddingtoun and shire of Edinburgh, and also the lands of Craigkingilduris in the barony of Olivercastell and shire of Peebles (except that part thereof in which Mr. Andrew Hay stands infeft). At Bothanis 18th September 1585. Witnesses, Captain John Davidsoun, Archibald Douglas, Esquire, William Lauder and Andrew Hay. Sasine dated 19th October 1585. Witnesses, William Hay in Wyndene, Mr. William Hay, his son, David Lowsoun, clothier, burgess of Edinburgh, Hugh Gray, servitor to said William Hay, Andrew Mureheid and William Ewing, servitors to Jonet [illegible]thowie, relict of the said John Hay of Linplum, Adam Dobie and Gilbert [illegible]alker, servitors to the said William Hay. Henry Bickartoun is notary. (*M.*)

Paper.

855A. 24th November 1585. Copy of a Gift by William Lord Hay of Zester, patron of the College Kirk of Bothanis, to David Sincler of the prebend of the Blessit Virgane Marie situat within the said College, with all its fruits, etc. Bothanis, 24 Nov. 1585. Witnesses, John Cokburne of the Kirkland of Boltoun, Thos. Scott, "our" servant, and Wm. Leirmonth. *No.* 1 *of Minute of Writts of Blanss.* (*H.*)

856. —— April 1586. Letter of Reversion by Margaret Hay, lawful daughter of umquhile John Hay of Gammilstoun, containing the sum of 1300 merks as the redemption price of an annualrent of 158 merks furth of the lands of Gammilstoun, sold to the said Margaret by William Lord Hay of Yester and his cautioners conform to contract between them of date 12th February 1584. At Edinburgh —— day of April 1586. Witnesses, William Henrysone, constable Depute, William Hammiltoun, servitor to the said Lord Hay, James Flemyng, burgess of Glasgow, George Hutchesoun, notary public, and Walter Chalmer of Pettie. George Abercromby is co-notary. (*M.*)

Seal of granter gone.

857. 14th July 1586. Letters by way of Instrument by the Provost and Baillies of Hadingtoun at the instance of James Gray, Common Clerk of the said burgh, transcribing from the protocol book of um. Thos. Stevin, N.P. and common clerk of said burgh, the entry recording No. 692: Done in the Tolbooth of H. 14 July 1586, 11 a.m.; witnesses, John Wilkie, Robert Patersoun, baillies, Wm. Broun, treasurer, Wm. Broun, senior, *alias* Cowper, Thos. Barnis, Henry Quhite and John Bukholme, burgesses of the said burgh. James Gray, N.P. (*H.*)

Paper. Seal impressed, defaced.

857A. 14th October 1586. A precept be Francis Earle of Erroll for geveing seising to William Lo. Hay of Yester, sone to the forsaid William, of the lands of Athmure, 14 Octob. 1586. A seasing followeing therwpon gevein be Andro Bowye, notare, 24 Octob. 1586. *Nos.* 21 *and* 22, 1622 *Athmure Inventory*, (*H.*)

857B. 2nd November 1586. Item ane instrument of seasing in favouris of umqle. William lorde Hay of Zestar as air to umqle. William Lorde hay of yestar his father, proceiding upon a precept following upon a retour furth of the chancellarie of the forsaidis landis and barony (of Lochquharrat) above written. Daittit the 2 November 1586, umqle. Robert Cathcart nottar thairto. *No.* 6, 1663 *Locharret Inventory.* (*H.*)

858. 3rd and 4th November 1586. Instrument of Sasine by John Cokburne of Kirkland of Boltoun, Sheriff specially deput in the constabulary of Hadingtoun, to Andrew Hay in Bothanis, attorney for William Lord Hay of Zester, following on and narrating a precept of sasine dated Edr. 25 Oct. 1586 proceeding from Chancery on the retour of Inquest held by Rob. Stewart and John Fergussoun, macers, sheriffs *in hac parte*, finding William Lord Hay of Zester is heir of his father um. William Lord Hay of Zester in the lands and barony of Zester, with castle, etc., advowson of the College Kirk of Bothanis, lands and mains of Park, lands of Gemmilstoun, lands of Giffertgait and the superiority thereof, lands of Lynplum, one quarter in property, the rest in superiority, the superiority of the lands of Lethingtoun, lands of Donkenlaw (except those mortified to the Kirk), and the lands of Barro and the superiority thereof, relief £80; the lands of Ugstoun, relief £13 : 6 : 8; the lands of Beltoun and Gilpallet, relief £40; and the quarter of the town and territory of

Blanss, relief two braidarrowis in duplication of the blenche ferm; Done at Ugstoun 3 Nov. 9 a.m. Witnesses, Luke Vltersone, Ric. Spens in Vgstoun, Thos. Broun, John Finlasone, his servitors: At Giffertgait and Lethingtoun 10 a.m.; witnesses, Laurence Zole, Wm. Purves, Quintigern Geddes, Andrew Mane, burgesses of Hadingtoun, and the said Luke Vltersone: At Blanss 11 a.m.; witnesses, the said Luke Vltersone, Wm. Sinclare, apparent of Blanss, John Scheill, John Newling, servitors of the laird of Blanss: At the Mains of Park Gammilstoun and Zester, and at the toun of Donkenlaw, the toun of Barro, and manor of Lynplum, between 1 and 3 p.m.; witnesses, L. V., Sir Geo. Liddell, Wm. Hay, son of And. Hay in Bothanis, Thos. Wait in Gammilstoun, David Barre in Athirmuire. Also at the manor of Beltoun, Gilpallet, on the 4th Nov. at 10 a.m. and 1 p.m. Alex Symsone, N.P.

An Endorsation bears that it was produced on behalf of Dame Marie Maxwell Lady Zester, 10 July 1591. Thos. Hervie, N.P. (*H.*)

859. 4th and 5th November 1586. Instrument of Sasine by Wm. Morray of Romanos, sheriff specially depute of Peebles, to Andrew Ker, attorney for William Lord Hay of Zester, following on and narrating a precept of sasine, dated Edr. 25 Oct. 1586, proceeding from Chancery on the retour of Inquest held by Rob. Stewart and John Fergusson, macers, sheriffs *in hac parte*, finding William Lord Hay of Zester heir of his father um. Wm. Lord Hay of Zester in the lands of Ester Hopprew, Edstoun and Meggot, relief £58; the lands and barony of Olivercastell, the superiority of the lands of Todrig, and the half of Glenrusco, relief £54; and the lands and barony of Lyn and Vester Hopprew, relief £20; and the lands of Jedburghtfeld with the office of Sheriff of Peebles, relief two pence for duplication of blencheferm; and the lands of Burrowfeld, relief 20s. Done at Ester Hopprew, Edstoun and Meggot and Olivercastell at 7, 8, 9 and 11 a.m. Witnesses, Rob. Broun in Edstoun, Walter Tuedy in Olivercastell, Michael Hunttar, son of Rob. H. of Polmoid, Andrew Huatsone in Tallo, John Huatsone in Cokeland, Jas. Geddes of Glenhigden in Hartstane and Glenrusco, Thos. Kid, Wm. Tuedy, Pat. Stewinsone and Wm. Fraser: at Lyn, Wester Hopprew, Jedburghtfeld and Burrowfeld 2 and 4 p.m.; witnesses, John Broun in Vester Hopprew, Alex. Vache in Lyn, John Haitly, Thos. Kid, Wm. Tuedy, Pat. Stewinsone, servitors of the said lord, and the notary, David Creichtoun, N.P. (*H.*)

860. 4th and 5th November 1586. A duplicate of the foregoing. (*H.*)

861. 10th November 1586. Instrument of Sasine by Zacary Makgill, brother german of Mr. John Makgill, Archpriest of Dumbar, to Thos. Scott, attorney for Wm. Lord Hay of Zester, following on and narrating a precept of sasine by the said Mr. John Makgill as superior of the lands underwritten proceeding on a brief from Chancery to infeft the said Lord as heir of his father, um. Wm. Lord Hay of Zester, in the two acres of Kirkland in West Barns, dated Pinkine, 6 Nov. 1586; witnesses, Mr. David Makgill, advocate, Gilbert Sanderis his servitor, Jas. Wod, vicar of Largow, and Alex. Trotter. Sasine given 2 p.m.; witnesses, Arthur Storie in Beltane, Thos. Lawder, Thos. Scott, servitors of said Lord, Wm. Hay, Wm. Dischingtoune in Beltane, and John Seytoun, Alex. Symsone, N.P. (*H.*)

862. 10th November 1586. Precept of Sasine on which the foregoing proceeded; but the dates and names of witnesses are left out, and the document has apparently never been completed. (*H.*)

The seal tag has been cut from the brief from Chancery directing sasine to be given to Wm. Lord Hay of Zester as heir of his father um. Wm. Lord Hay of Zester in the lands of Athmure in the lordship of Errole.

862A. 10th October 1587. Copy of a Charter by David Sinclair, chaplain of the prebend of the altar of the B.V.M. in the College Kirk of Bothanis, with consent of his father, David Sinclair of Blanis, his administrator, and with assent of Wm. Lord Hay of Zester, patron of the said college, to his brother William Sinclair, son and apparent heir of the said D. S. of Blanss, and his heirs male, of the three husband lands of Blanss, held in assedation and occupied by his said father, in the constab. of Haddington ; paying yearly £10 scots with 3s. 4d. of augmentation, reserving the liferent of said lands to D. S. of B. and Mariota Lauder, his spouse : with precept of sasine to John Sinclair ; Bothanis, 10th October 1587. Witnesses, John Cokburne of Kirkland of Boltoun, Andrew Hay in Bothanis, Thos. Scott and Andrew Ker *alias* David (Dand ?) Ker, servants of the said Lord, and Wm. Leirmonth.

A sasing following vpoun the sd. chairtour gevin be Jon. bucholme notter the 14 of august 1588.

A chairtour grantit be Wa. Lord Hay of yester to Dauid Sinclar of blanss of thrie husband landis halden of the sd. noble Lord Lyand contigue to the sd. thrie husband Landis of the sd. prebendrie for the zeirlie payment of ten pund 6s. 8d. of few dewtie of the Daitt the frist day of December 1588. *Nos* 7, 3 *and* 4 *of the Minute of Writts of blanss.* (*H.*)

863. 6th January 1587/8. Resignation by George Earl of Hunthe, Lord Gordoun and Badzenache, and Commendator of the Abbacie of Dumfermling, with consent of the convent thereof, to the King of the lands and barony of Wester Kingorne, viz., the towns and lands of Over Kingorne, the lands of Weltoun with the mill, etc., the toun and lands of Moyishous, the lands of Orrok, the lands of Sillybalbie, the lands of Eist quarter, the lands of Lymekillis, the lands of Owirgrange, the acres of Kingorne, the lands of Nethergrange, an annualrent of fyftie thrie schillingis foure pennyis furthe of the abbacie of Sanct colmisinche with the castell toure and fortalice of Bruntelande, the lands of Stanehous *alias* Knokdone, the lands of Dunarne, the lands callit seriand landis, the lands callit the Pittie commoune, with all feu mails, fees, casualties and duties of the said lands and mills with the superiorities of the land, all lying in the Regality of Dumfermling, Fifeshire, with the advowson, etc. of the Parish Kirk of Wester Kingorne and teinds, etc. pertaining thereto in favour of the King's familiar servitour and traist counsallour, Sir Robert Meluill of Murdocairny, Treasurer Depute, who with his eldest sone, Robert Meluill, is heretably infeft in most of the above lands, etc., that he and his heirs may hold them in chief of the Crown ; with clause constituting Pat. Murray procurator. At Dumfermling 6th Janry. 1587 ; witnesses, Mr. Simon Cheine, Mr. David Aitoun, Pat. Herring, "our" servitour, Alex. Bonner of ——, John Gray, servant to said Sir Robert.

Signed, "G. Huntlye comendatarius," and by Dein John Angus, Dein Alex. Aitken, Dein Andro Gray, Alex. Stevin, Wm. Lumisden and Thos. Jamesone. (*H.*)

Fragment of chapter seal appended.

863A. 8th January 1587/8. A notarial note endorsed on No. 863 bearing witness that at Halyruidhous on the 8th Janry 1587, 6 p.m., Patrik Murray, servitour domestik to his Maiestie, as procurator in terms of No. 863, resigned the subjects therein mentioned to the King. Done in his Majesty's chalmer ; witnesses, Sir John Prestoun of Barnis, knt., Comptroller ; Sir Lewes Bellenden of Auchnoull, knt., Justice Clerk ; Andro Wod of Largo, John Oliphant, treasurer Clerk depute, and John Stewart, Ischer of his Majesties chalmer. Wm. Makartnay, N.P. (*H.*)

864. 15th February 1587/8. Ratification and Renewal of Tack (first made by um. Wm. Lord Hay of Zester, father of the granter) by William Lord Hay of Zester to James Stewart in Allantoun of the granter's lands of

Allantoun, with Tour, fortalice and maner place, the lands of Catburne, Morwingsyde, and Athcarheid, extending to ten merklands, presently occupied by the said J. S. and lying in the barony of Athcarmure, Lanarkshire ; Paying yearly ten merks scots. Bothanis, 15 Feb. 1587 ; witnesses, David Sinclare of Blanss, Andrew Hay in Bothanis, Andrew Hay, "my" servitors, Wm. Hay in Barrow, and Alex. Symsone, N.P.

Signed by Sinclare, A. Hay, A. Hay, W. Hay, and A. Symsone, the notary. (*H.*)

Lord Hay's signature is cut out to show cancellation. Seal appended in poor condition.

865. 1st March 1587/8. Charter under the Great Seal in favor of Robert Mailuile, eldest son and heir apparent of Sir Rob. Mailuille of Mardocairney, knt., Treasurer depute, following on No. 863 ; Holyroodhouse, 1 March 1587. Witnesses, John Lord Hamyltoun, Commendator of Abirbrothok ; Archibald Earl of Angus, Lord Dowglas Dalkeith, and Abernethie ; Sir John Maitland of Thirlestane, knt., Chancellor and Secretary ; Patrick Archbishop of S. Andrews ; Walter Prior of Blantyre, Keeper of the Privy Seal ; Alex. Hay of Eister Kennet, Clerk of Rolls, Register and Council ; Louis Bellenden of Auchnoull, knt., Justice Clerk ; and Mr. Robert Scott, Director of chancery. (*H.*)

Great Seal, three-quarter whole and in fair condition, appended. (*Reg. Mag. Sig.*, xxxvii., 65.)

865A. 6th July 1588. Ane charter maide be Johne Hay of a qrt. of ye landis of Linplum to Wame. hay of tala (*sic*) his brother, commonlie called the blenche ferme qrter of the landis of Linplum, daitit 6 July 1588. *No.* 38, 1617 *Linplum Inventory.* (*H.*)

866. 13th July 1588. Charter by Mr. John Pitcarne of that Ilk, with consent of his son and heir apparent, Henry P., to James Kingorne, Clerk of the Regality of Dunfermling, and Euphemia Murray his wife, in conjunct fee, and their heirs, his lands of Morpheis fauld with the teind sheaves occupied by Geo. Turnbull, portioner of Eist Barns, lying between the lands of Eister Gellet on the east, South and West, and the lands of Eist Barnis *alias* Grange on the north, in the parish and regality of D., Fifeshire ; to be held of the commendator and convent of D. ; Paying 6s. 8d. scots yearly and three suits of court of regality in the Tolbooth of D., Reserving the liferent of Dame Euphemia Murray, relict of um. Rob. commendator of D. ; with clause containing precept of sasine to John Walwod, senior portioner of Touche. At Forther 13th July 1588 ; witnesses, Jas. Lindsay, apparent of Kirkforther, Pat. Lindsay, his son and apparent heir, David Pitcarne, the granter's natural son, and Pat. Pitcarne, his servant.

Signed by the granter and his son, and by John Lindsay, ygr. of K. (*H.*)

Seal appended in fair condition.

867. 25th July 1588. Tack by William Lord Hay of Zester in favour of William Ker of Snawdone and Issobell Sinclare, his spouse, and the survivor of them, and their heirs, of the four husband lands of the town and lands of Zester presently occupied by the said William Ker, lying in the town and territory of Zester, shire of Edinburgh and Constabulary of Hadingtoun, with teind sheaves of said four husband lands ; for the space of nineteen years. Paying therefore yearly twenty-four pounds scots, twelve kane foullis, with the service of four shearers yearly during the time of harvest, "together with the service of the said William or any other possessor of the said lands on hors bak or on fute quhen [illegible]er he sal be requyreit." At Bothanis 25th July 1588. Witnesses, David Sinclar of Blans, William Jamesoun, Thomas Scot and John —— (*illegible*). (*M.*)

868. 15th August 1588. Sasine on Precept from Chancery in favour of James Maitland of Lethingtoun, as nearest and lawful heir of the late William Maitland (Secretary), his father, in the lands of Mervingstoun, lying in the barony of Boltoun, Constabulary of Hadingtoun and shire of Edinburgh. At Edinburgh 7th November 1587. Sasine dated 15th August 1588. Witnesses, Richard Lowthiane, son of William Lowthiane in Lylstoun, George Cruik, elder, George Cruik, younger in Mingstoun, and Thomas Mershell there. Richard Cranstoun of Skatisbusk is procurator for said James Maitland, Charles Home, chaplain of Halyburtoun, is superior of said Lands, and Messrs. John Arthour and Alexander Thomson are sheriffs of Edinburgh in the Constabulary of Hadingtoun. (*M.*)

Paper.

869. 27th August 1588. Obligation by William Lord Hay of Zester to James Lawder, servitor to the King's Majesty, for £517, including the annualrent paid by the said James as suretie for the grantee to James Erkles from his lands of Sherefsyde, to be paid before Martinmas next; appointing Mr. John Moscrop, procurator, to register the said deed. Bothanis, 27 Aug. 1588; witnesses, David Sinkclair of Blance, David kar, Cuthbert Home and Henrie Lawder. (*H.*)

Signed.

870. 31st August 1588. Instrument of Sasine following on No. 866. Done 3 p.m. 31 Aug. 1588; witnesses, Pat. Murray of Wyndimylnhill, And. Murray, his son and apparent heir, David Pitcarne, burgess of Dunfermline, and Wm Schortus, servitor of the said Jas. Kingorne. David Broun, N.P. (*H.*)

871. 25th December 1588. Extract Decreet, Edinburgh 25 Dec. 1588, Anent the complaint by John Durie, minister and sometime one of the brothers of the Abbey of Dumfermline, and his son John Durie, against George Earl of Huntly as commendator of D. and the tenants, decerning them to pay the said John's pension (see No. 799).

Signed by Alexander Hay of Eister Kennet, Clerk of Rolls, Register and Council. (*H.*)

872. 25th December 1588. A duplicate of the foregoing. (*H.*)

872A. 18th January 1588/9. A Charter under the great seal grantit to vmquhill Jhone Lo. fleming upon his aine resignatione, daited the 18 day of Januare 1588. (*Reg. Mag. Sig.*, xxxviij. 292.)

Ane instrument of seasing following thairupon given be Thomas Inglis and Wm. fleming noteris upon the first of Apryll 1589. *Nos.* 5 *and* 6, *Minute of Writts producit be the erle of Wigtoun.* (*H.*)

873. 24th April 1589. Extract by way of Instrument of an Act of the Regality Court of Dunfermline held at Northffoid, 24 April 1589, by Wm. Durie of Medowend and Jas. Harper in Drumtuthill, deputes of David Durie of that Ilk, Baillie principal of said Regality, narrating that there compeared Robert Stanehous, feuar of a quarter of the lands of Northfoid, and his eldest son and heir Wm., and also Wm. Stanehous, feuar of another quarter, with his eldest son and heir Patrick; and agreed to halve the south half of Northfoid equally between them and set up march stones, under penalty of 100 merks to be paid to the said baillies; and also of an other act, dated 25 Oct. 1589, Tolbooth of D., narrating that there compeared Pat. Stanehous, son and heir of Wm. S., portioner of Northfoid, for himself and his father, and also Robert Stanehous and his son Wm., and confirmed the bounds of their lands, which are minutely detailed. (*H.*)

Signed by J. Kingorne, clerk, and the seal of the baillie appended.

873A. 16th September 1589. Another Precept of Seasing grantit be Wm. Lo. hay of yester to Jhone Lord fleming, thairefter callit Jhone erle of Wigtoun, upon his retour as air to wmquhill Jhone Lo. flemming, his father, daited 16 September 1589.

Ane instrument of seasing following thairupon given be thomas lindsay and Wm. flemming connoteris upon the 18 september 1590 years. *Nos.* 3 *and* 4, *Minute of writts producit be the erle of Wigtoun.* (*H.*)

874. 20th February 1589/90. Extract Decreet, dated Edinburgh, 20 Feb. 1589, anent the complaint by John Durie (as before, see No. 871), decerning that his pension must be paid. Signed by Alex. Hay of Eister Kennet, Clerk of Rolls, Register and Council. (*Register of Acts and Decreets*, Vol. cxxiii., fol. 227.) (*H.*)

875. 6th March 1589/90. Reversion by Sir George Haliburtoun of Pitcur, knt., in favour of Wm. Lord Hay of Zester and his heirs, of the two pairt of the said lordis lands of Authmure and salmond fischeing of the samen in the lordship of Erroll, Perthshire ; and his quarter lands of Polgavie, Perthshire, sold to him by the said lord, upon payment within the Parish Kirk of Dundee of the sum of 1000 merks scots, stampit two penny plackis and penneis excepted. Dundee, 6 Marche 1589; witnesses, Mr. Geo. Halyburtoun, "my" son, Laurence Halyburtoun of Mallois, Thos. Gray in Dundee, John Halyburtoun, Anthony Halyburtoun, burgesses of Dundee, and Rob. Wedderburn, notary. Signed by the granter, and Mr. Geo. Halyburtoun of Hallholl, witness, Thos. Gray, Antone Halyburtoun, and R. Wedderburn, notary. (*H.*)

Seal appended in fair condition.

876. 6th March 1589/90. Reversion by James Small of the Kirkland of Kethins, Bessie Blair, his wife, and James Small, their youngest son, in favour of Wm. Lord Hay of Zester of the third of the said Lord's lands of Auchmure and salmond fisching thereof in the Lordship of Erroll, Perthshire, and the third part of his quarter of the lands of Polgavie, Perthshire, sold by him to them, upon payment within the Parish Kirk of Dundee of 500 merks scots. Coupar Abbey, 6 March 1589 ; witnesses, Geo. Small in Sedrownce (?), Walter Pilmure, messenger in Coupar, Walter Bannermane, messenger in Dunkeld, Jas. Quhyt in Kethinis, John Robesone and Donald Cargill, notaries. Signed by the granters, Bessie Blair's hand led by the said notaries. (*H.*)

Three seals appended in poor condition.

877. 22nd and 23rd March 1589/90. Charter by James Sandelands of Calder, Lord of Torphechin, with consent of James Sandelandis of Slamannan, Joseph Douglas of Pumphrestoun and Mr. Andrew Sandelandis, his curators, in favour of Gregory Daill, indweller in Barro, in liferent, and William Daill, his son and heir apparent, in fee of the lands mentioned in No. 841 and holding on the same terms as therein mentioned. At the Cities of Glasgow and St. Andrews, and the burgh of Edinburgh, 22nd and 23rd March 1589. Witnesses, Mr. John Broun, pedagogue to the granter, John Inglis, Daniel Cathcart, Mungo Crawfurd and John Bynny, servitors to the said curators. (*M.*)

The seal of the granter is appended, and is much defaced.

878. 20th May 1590. Obligation by Mr. James Makgill of Rankelour Nethir to James Inglis, burgess of Edinburgh, upon receipt of the sum of £1000 scots, the purchase money of an annualrent of £100 scots secured on M.'s lands of Pinky and Carss, to infeft the said J. I. in said annualrent, with clause containing obligation by said Mr. Jas. and George Anderson in Mussilburgh, Wm. Scott there, and John Broun there, his tenants, to pay said annualrent, the said

sum of £1000 to be repaid in redemption of annualrent when duly asked for by Inglis, John Adamsone, burgess of Edr., being Makgill's cautioner for this repayment. Edinburgh, 20th May 1590; witnesses, Mr. David Makgill, Zacharie Makgill, brothers of the said Mr. Jas., Wm. Knollis, his servitor, and Peter Hewatt, notary. Signed by Mr. Jas. Makgyll and John Adamsone. (*H.*)

Note.—This satisfeitt and dischargitt 19 Novemb. 1611.

879. 20th May 1590. Charter following on the foregoing, with precept of sasine addressed to Alex. Mathesoun in Edinburgh. Edinburgh, 20 May 1590; witnesses, Mr. David Makgill, brother german of Mr. Jas. M. of Rankelour Nether, Wm. Knollis, his servitor, John Adamsoun, burgess of Edr., and Peter Hewatt, N.P. (*H.*)

Signed. Seal gone.

880. 27th October 1590. Instrument of Sasine given by Alex. Mathesoun in Edinburgh to Jas. Trew in Pinky, attorney for Jas. Inglis, merchant, burgess of Edr., following on No. 879. Done at Pinky 2 p.m. 27 Oct. 1590; witnesses, Wm. Scott, Edw. Wricht, burgesses of Mussilburgh, and Alex. Mathesoun in Edr. Peter Hewatt, N.P. (*H.*)

Note.—This satisfeitt and dischargeit 19 Novemb. 1611.

881. 23rd December 1590. Crown Confirmation of a Charter of feuferm and location granted by the late John, prior of the Monastery of Pettinweyme and convent thereof, in favour of Christopher Home in Barro, his heirs and assignees, of the lands called Mayland, lying in the territory of Barro, Constabulary of Hadingtoun and shire of Edinburgh, which the said Christopher had in tack of the said commendator and convent. Holding of them and their successors in feuferm and heritage. Paying to the Crown yearly ten shillings scots in name of feuferme, the heirs of the said Christopher doubling the said feu duty the first year of their entry. (The date of the charter by the prior and convent is not stated, but the confirmation is dated at Edinburgh 23rd December 1590.) Registered 21st September 1595. (Not in *Reg. Mag. Sig.*) (*M.*)

The great seal is gone.

882. 23rd December 1590. Precept under the Quarter Seal for the foregoing Charter of Confirmation in favour of Christopher Home in Barro of the lands called Mayland in territory of Barro. Dated 23rd December 1590. (*M.*)

Seal gone.

882A. *C.* 1590. Charter by Mr. Andrew Hay, Rector of Renfrew, to his brother german, William Hay in Vyndene, of his quarter of the lands of Cragkingildoures in the parish of Drummelzear, Peebleshire. Paying yearly two pennies scots in name of blanche ferm; no date nor witnesses.
Signed "Maister Andro hay person of Renfrew." (*H.*)

No seal.

883. 21st February 1590/1. Procuratory by William Lord Hay of Zester to Peter Hay of Leyis to resign into the king's hands the following; the lands and barony of Zester, etc. with advowson of the College Kirk of Bothanis, provost and prebendaries thereof; lands and mains of Park; lands of Gammilstoun; lands of Giffertgait and superiority thereof; the lands of Lynplum, a quarter in property the remainder in superiority; lands of Duncanlaw except the lands mortified to the Kirk; lands of Barro and superiority thereof; lands of Ugstoun;

lands of Beltoun and Gilpallet with Toure, etc. ; quarter of toun and lands of Blans, all in the constabulary of Haddington ; the lands and barony of Lochquorret, Edinburghshire principal ; lands of Eister Hoprew ; lands of Edstoun and Megott ; lands and barony of Olivercastell, with the superiority of Todrig, Selkirkshire, annexed to said barony ; lands and barony of Lyne and Wester Hopprew ; the lands of Jedburchtfeild with ye office of sheref schip of Peblis Togidder with the castell and fortalice of Neidpeth ; the half of the lands of Glenrusco, Drumfreisshire ; quarter of lands of Polgavie, Fforfarshire, for new heritable infeftment to be given by the King to the granter and the heirs male of his body ; whom failing James Hay, his brother german, and his heirs male of his body ; whom failing John Hay of Smythtfeild, etc. ; whom failing Gilbert Hay of Monkstoun, etc. ; whom failing Wm. Hay of Lynplum, etc. ; whom failing John Hay of Scrogis, etc. ; whom failing the nearest heir male of said Lord, Berand the armes and surname of Hay ; Providing that should the said Lord die without heirs male of his body the heir male succeeding shall pay to the daughters and heirs of line of said Lord when they reach the age of fifteen ; to the eldest daughter, 10,000 merks ; second daughter, 6000 merks, and each of the remaining daughters 6000 merks ; and also pay the yearly sum of 50 merks to each daughter until she shall reach the age of 15 ; Bothanis, 21 Feb. 1590 ; witnesses, Geo. Hepburne and Thos. Scot, the granter's servitors ; Mr. Walter Hay, Provost of Bothanis, Andro Weitche, brother to Jas. W. of Courhope, and Rob. Broun, servitor of Mr. John Moscrope, advocate.

Endorsation bears that Peter Hay of Leyes resigned the above (see No. 885), and the document was produced 10 July 1591 before 4 macers on behalf of Jas. Lord Zester.

Signed by Thos. Hervie, N.P., and Clerk of the Sheriff Court specially appointed for the purpose. (*H.*)

Signed and seal appended, in poor condition.

884. 25th February 1590/1. Instrument of Sasine by Pat. Patersoun in Barro following on No. 881. Done at Barro 1 p.m. 25 Feb. 1590 ; witnesses, Jas. Galloway, burgess of Hadingtoun, John Wrycht, Wm. Gledda, servitors of Chris. Home of Barro, and Wm. Harlaw in Barro. Jas. Gray, N.P. (*H.*)

885. 26th February 1590/1. Instrument of Resignation following on No. 883. Done at Holyroodhouse in the King's chamber, 4 p.m. 26 February 1590 : witnesses, Francis Earl of Errol, Wm. Earl of Mortoun, Thos. Master of Glammis, and Sir Geo. Home of Primroknow, knt. Mr. Geo. Tod, N.P. (*H.*)

886. 9th April 1591. Instrument of Sasine by John Aytoun, burgess of Haddington, following on No. 877, 9 April 1591 ; witnesses, Jas. Sinclare in Ewingstoun, Alex. Seytoun in Haddington, and Patrick Skwggall there. John Symsone, N.P. (*M. and H.*)

887. 22nd May 1591. Contemporary Copy of an Obligation by William Hay of Lynplum, as auld taxisman of the teind sheaves and small teinds of the six husbandlands of Barro, occupied by his uncle William Hay, to enter his cousin, Mr. William Hay, son of Wm. Hay in Barro, as sub taxisman in the said teinds ; and also of his lands of Lynplum, and any tacks of the said teinds obtained from the Vicar of Barro. Edinburgh, 22 May 1591 ; witnesses, John Hay of Smeithfeild, Wm. Hay, servitor to my Lord Zester, John Dickesoun and Wm. Twedy. (*H.*)

888. 29th May 1591. Barony of Snaid, offers of rent made by the tenants at Greine of Terregles, 29 May 1591, to Dame Marie Maxwell Lady Zester ; John Cunnynghame for Schaw ; Rob. Cunnynghame for Garroctsoun ; Rob.

Halyday, Rob. Moffet, Michael Makitrik, Jonet Fergusoun and her son John Makgowin (also for Auchinfatrik and Midstraith) for the four merkland ; Andro Wilsoun for over Laggane and Nether Lugend ; John Dalrumpill and Cuthbert D. for Nether Lugend ; Wm. Miligane, Archd. Makconell, Edw. Makgowin and John —— for Auchinfatrik ; Edw. Creychtoun for Gordounsoun ; Catherine Wilsoun for Gilmersoun ; John Cunnynghame, son of um. Andro C., for Dardarrocht, Wodheid, Clairinstoun (?), Nether Bordland, Kiddistoun, Tortstoun (?), and Wallacetoun. (*H.*)

888A. 11th June 1591. Ane tak set to Jeane hay of thrie husbandlandis in Yester for the space of tua nyntene zeiris, subscrivit be James Lord Hay of Zester 11 June 1591.

Ane assignatioun of the said tak be the said Jeane hay and Rot. Lauder hir sone in favoris of dame Margaret ker Lady Zester, daittit the 7 of Apryle 1613. *Nos.* 93 *and* 94 *of Minute of Writts received by Margaret Ker Lady Yester*, 1617. (*H.*)

889. 25th June 1591. Letter of Gift under the Privy Seal in favour of Mr. John Scharpe of Houstoun, advocate, of the ward, nonentry, etc. of the lands, etc. which pertained to the late William Lord Hay of Yester, with the marriage of the son who shall be born as apparent heir of the said William Lord Hay, and failing of him by decease unmarried, the marriage of any other heir or heirs male or female who shall succeed to his lands, etc. At Edinburgh 25th June 1591. (*Reg. Sec. Sig.*, lxii., 88.) (*M.*)

Privy Seal, broken.

890. 10th July 1591. Retour of Inquest in the Tolbooth of Edinburgh, 10 July 1591, before Archd. Dowglas, John Ferguson, David Bryson and Robert Stewart, macers, sheriffs *in hac parte*, finding Dame Marie Maxwell Lady Zester entitled to a terce of the lands (of) her husband, William Lord Hay of Zester, who died in March last, in Haddington, Edinburgh and Peebles. (The document is torn, wasted and cut, and only the following of the jury can be made out from the body of the document and the tags for their seals, which are not appended) : Sir John Maxwell of Calderwode, knt., Gavin Hamilton of Roploch, Wm M'Cullocht of Myintoun, chancellor (name on 1st tag only), Wm. Hamilton of Overtoun, John Aslowane of Garrocht, —— Maxwell, brother of J. M. of Calderwode, Geo. Maxwell of Drumcolterane, Jas. Lockart of Ley, Herbert Cuningham, burgess of Drumfries, Andrew Lindsay of Restarrell. John Henryson, N.P., clerk to the said court. (*H.*)

890A. 1st August 1591. A Tack set be Mr. Jhon Manderstone, prebendaire of beltane, of the teindis of beltane, to Jaes Lo. yester and his spouse the longest lyver of theme twa, and there aires maill for the space of twa lyfrentes, and twa nynetene yeiris tackis, of the daitt 1 August 1591. *No.* 12, *Minute of Writtis delivered by Margaret Lady Zester to John Lord H. of Y.* (*H.*)

891. 2nd August 1591. Tack by James Lord Hay of Yester to John Patersone in Edstoun, Crystian Cokburn, his spouse, and to John Hunter, his "douchter sone," of the fourth part of the lands of Edstoun on the east side of the burn, presently occupied by the said John Patersone and his spouse, lying in the barony of Lyne and shire of Peebles, for the space of 19 years from Whitsunday 1592. Paying yearly to Dame Margaret Levingstoun Lady Yester during her lifetime six bolls ferme meill and six firlots two pecks ferme beir, and to the said Lord Hay thirteen bolls one firlot ferme meill and three bolls one firlot of ferme beir. At Neidpethe 2nd August 1591 ; witnesses, John Hay of Smythfeld, Cudbert Elphingstoun of Henderston, John Thomsone in Crukistoun, Robert Runsiman, servitor to said Lord Hay, and Thomas Lowes of Maner. (*M.*)

892. 6th August 1591. Charter by James Lord Hay of Zester following on a marriage contract between him on one part and Mark Lord of Newbothill and Margaret Ker, his daughter, now spouse of the granter, dated at Newbothill 29 May 1591, to the said Dame Margaret Ker, his spouse, in liferent of his lands of Duncanlaw and the Mill, Gammelstoun and the town of Zester, lands and town of Beltoun with manor and mill and lands of Gilpallet and Bentydod, in the constabulary of Haddington. Newbothill, 6 Aug. 1591; witnesses, Alex. Hay of Eister Kennett, Clerk Register, David Sinclair of Blanes, Wm. Sinclare his son, John Hay of Smeithfeild, Henry Ker, servant of said lord of Newbothill, Mr. Wm. Hay, son of Wm. Hay of Barro, and John Foulis, N.P. Signed by the granter and witnesses. (*H.*)

Seal appended in bad condition. Document slashed to show cancellation.

893. 26th December 1591. Tack by James Lord Hay of Yester, with consent of Dame Margaret Ker, his spouse, to James Wod in Bothanis and —— Houstoun, his spouse, of the two corn mills of (Bot)hanis with multur, knaveship, etc., with three acres of land adjacent to the same, lying at the toun end of Yester, with pasturage of four ky with their followers, with a horse and mare, with the multures, etc., of the baronies of Yester and Duncanlaw; for the space of nineteen years, paying therefor twelve bolls unground . . . , and paying yearly to Dame Margaret Levingstoun Lady Yester six bolls unground malt and seven bolls ane firlot . . . pecks aitmeill, eight capons and eight shillings ten pennies scots money. At *Newbotle* (?) 26th December 1591. Witnesses, Mark Lord Newbotle, Raff Ker, brother to Greynheid, William Hay, called Northland William, John Dikesoun and —— Hay, servitors to said Lord Yester. (*M.*)

894. *C.* 1591. Copy of the Foundation Charter of the College Kirk of Bothans, see No. 55, 22 April 1421, made by Antony Quhyte, N.P., and Thos. Crombie, N.P. No date. (*H.*)

895. 1st February 1591/2. Confirmation under the Great Seal by James VI. with advice of John Lord Thirlestane, Chancellor; Sir Thos. Lyoun of Auldbar, knt., Mr. Rob. Dowglas, Provost of Linclowdene, Collector general and Sir John Cokburne of Ormestoun, knt., Justice Clerk, ratifying three Great Seal charters, one of the barony of Kinghorne (see No. 865), the second to Sir Robert Meluile of Murdocairney, knt., in liferent, his son and heir apparent Rob. M. and his heirs male in fee, of the lands and town of Lethame (occupied by Thos. Inglis, David Dury, Wm. Patersoun, Alex. Andirsoun, Thos. Bontaverne, David Spens, Geo. Watt, David Barclay of Cullerny and Thos. Oliphant), with the mill of Monymaill with the advowsm of the Parish Kirk of Monymaill, Fifeshire, and the lands of Monkmyre lying in the Regality of S. Andrews, Fifeshire; and the third one to the said Robert Meluile, the son and his heirs in heretage of the lands of Southferrie of Portancraig, with the town and gate thereof, etc., and six acres called Gibbisland with house and tower built thereon, towards the Craiggait to the west, the bank of Chapelbank on the east, lands of Jas. Hay on the south and the zairdheidis of the said town of Southferrie on the North, also the fishings of said town, one called the fishing of Craigwater and the other called the fishings of Merschell heavin lie slwch, patrikis skaif and thomas hoill lying in the said Regality of S. Andrews. Edinburgh, 1 Feb. 1591. Witnesses, John Lord Hamilton, Commendator of Abirbrothok; Wm. Earl of Angus, Lord Dowglas and Abirnethie; George Earl Marischal, Lord Keith, Marshal of Scotland; our councillors, John Lord Thirlestane, chancellor, Mr. Richard Cokburne, ygr. of Clerkingtoun, Secretary; Walter Prior of Blantyre, Keeper of the Privy Seal; Alex. Hay of Eister Kennet, Clerk of Rolls, Register and Council; Sir John Cokburne of Ormestoun, knt., Justice Clerk; and Mr. W. Scott of Grangemure, Director of Chancery. (*Reg. Mag. Sig.*, xxxviii. 206.) (*H*).

Large fragment of Great Seal appended.

896. 11th February 1591/2. Tack by Master Walter Hay, provest of the College Kirk of Bothanis, with consent of James Lord Hay of Zestir, patron of the said Kirk, and of the prebendaries of the same, in favour of William Hay, son to John Hay, preceptor of Sanct Leonards, during his lifetime and to his assignees, and for the lifetime of the said Assignee, and after the decease of him or his said assignee to his or their nearest and lawful heirs and assignees whatsoever for the space of nineteen years, and at the expiry thereof for another term of nineteen years; of the teind sheaves, other teinds, fruits, rents, etc. of the lands and barony of Zestir pertaining to the said Lord Zestir allanerly, which teinds, etc. belongs to the granter as a part of his provestry of Bothanis; the entry to be from the date hereof. The said William and his foresaids paying yearly therefor 100 merks. At Edinburgh 11th February 1591. Witnesses, Thomas Meggott in Newbotle, John Home, chamberlane to Mark Lord Newbotle, Mr. Alexander Ballentyne, Thomas Giffert and George Ker, servitors to the said Lord. (*M.*)

The provost's seal and that of the prebendaries are gone, that of the patron remains, but is much defaced.

897. 11th February 1591/2. Another copy of the foregoing Tack. All the seals gone. (*M.*)

898. 28th February 1591/2. Sasine by William Hay, son of John Hay, preceptor of St. Leonards, and heritable feuar of the lands underwritten, in favour of James Lord Hay of Yester and Dame Margaret Kar, his spouse, and the survivor of them in conjunct fee and the heirs male lawfully gotten or to be gotten betwixt them, which failing to the lawful and nearest heirs male of the said James or assignees whatsoever, of the Kirklands of the Provestry of the Collegiate Church of Bothanis lying in the parish of Bothanis, Constabulary of Hadingtoun and shire of Edinburgh, 28th February 1591. Witnesses, David Sinclair of Blans, Patrick Newtoun of that Ilk, Richard Cranstoun of Skaittisbusk and William Hay in Barro. James Gray is notary. (*M.*)

899. 12th March 1591/2. Tack by Mr. Walter Hay, Provost of Bothanis, with the consent of the Prebendaries of the College Kirk thereof, to James Lord Hay of Zester and Margaret Ker, his wife, and their heirs male of the teind sheaves and all other fruits, etc., both parsonage and vicarage, of the lands and barony of Zester in the parish of Bothanis, constab. of Haddington, for the space of Nineteen years. Barro, 12 March 1591; witnesses, William Hay of Linplum, Wm. Hay in Barro, Mr. Wm. Hay, Parson of Craynschawis, George, his brother, Wm. Hay in Kirkbank, and Wm. Hay, agent, servitors to the said Lord, and Mr. Alex. Ballenden, son of Jas. B. of Penderth, and Jas. Kirkwod, burgess of Hadingtoun. Signed by the Provost and Andro Hay, prebendar, and by John Hay, prebendar of Sanct Edmundis Ile, his hand led by Jas. Gray, N.P., and by several witnesses. (*H.*)

Chapter seal appended in fair condition.

900. 24th March 1591/2. Charter by William Hay, lawful son of John Hay, preceptor of Sanct Leonards, and heritable feuar of the lands underwritten, in favour of James Lord Hay of Zestir and Dame Margaret Ker, his spouse, and the survivor of them in conjunct fee and the heirs male lawfully procreated or to be procreated between them, which failing to the lawful and nearest heirs male of the said James Lord Hay and his assignees, of the Kirklands of the provestry of the College Kirk of Bothanis, with mansion, teinds, etc., lying in the parish of Bothanis, sheriffdom of Edinburgh and constabulary of Hadingtoun. Holding of the granter in feuferme fee and heritage, for the yearly payment of —— (*sic*) scots money. At Bothanis 24th March 1591. Witnesses,

William Hay in Barro, Master Alexander Ballendein, son to James Ballendein of Laswaid, Thomas Spottiswod, George Johnestoun, burgesses of Hadingtoun, and James Gray, notary public. (*M.*)

Seal of granter gone.

901. 24th April 1592. Charter by James Lord Hay of Zester, baron of the barony of Olivercastell, to his kinsman, Gilbert Hay of Monktoun and his heirs male of the lands of Nether Mynzeane in the said barony of Olivercastell, Peeblesshire, resigned by the said Gilbert; to be held in fee and heretage, paying four pennies scots at Pentecost and Martinmas in name of fee firm; with clause containing precept of sasine directed to Jas. Moffat in Meiklehumsyde; Newbotle, 24 April 1592; witnesses, Mark Lord of Newbotle, Alex. Hay of Eister Kennat, Clerk Register, Mr. Thos. Henrysoun, advocate, and John Hwme, servitor to said Lord of N. (*H.*)

Signed. Seal gone.

902. 9th May 1592. Instrument of Renunciation by James Lord Hay of Yester, Alexander Home, procurator for Dame Margaret Kar, Lady Yester, and William Hay, son of John Hay, Master of St. Leonards, in the hands of Mr. Walter Hay, provest of the College Kirk of Bothanis, as superior, of all infeftments, Charters, etc. given by the said Mr. Walter to them, of the Kirklands of Bothanis, in the parish thereof and Constabulary of Hadingtoun. Done in the principal Manse of the said Kirklands 9th May 1592. Witnesses, Master Alexander Ballenden, son to James Ballenden of Pendreich, Thomas Spottiswod, burgess of Hadingtoun, John Tait in Newbottill, Alexander Home, servitor to Lord Newbottill, Alexander Lyndsay in Dunkenlaw, Robert Lawder, son to James Lawder in Edinburgh, and Patrick Andersoun in Bothanis. James Gray is notary. (*M.*)

903. 9th May 1592. Sasine on Charter by Master Walter Hay, provest of the Collegiate Church of Bothanis, with consent of James Lord Hay of Yester, patron of said church, in favour of William Hay, son of John Hay, preceptor of St. Leonards, his heirs and assignees, of the Kirklands of the said Provestry, with teinds, etc., lying in the parish of Bothanis, shire of Edinburgh and Constabulary of Haddingtoun. Reserving to the minister or reader of the said Kirk the Manse and Glebe of old occupied by the Vicar and now by Jonat Lillie. Dated 9th May 1592. Witnesses, Master Alexander Ballenden, son of James Ballenden of Pendreich, Thomas Spottiswod, burgess of Haddington, John Tait in Newbotill, Alexander Home, servitor to the Laird of Newbotill, Alexander Lyndsay in Dunkenlaw, Robert Lawder, son of James Lawder in Edinburgh, and Patrick Anderson in Bothanis. James Gray is notary. (*M.*)

904. 10th May 1592. Charter by Master Walter Hay, provest of the Collegiate Kirk of Bothanis, with consent of the prebendaries of the said Church, confirming Charter by William Hay, lawful son of John Hay, preceptor of St. Leonards, in favour of James Lord Hay of Yester, and Dame Margaret Ker, his spouse, and the survivor of them in conjunct fee, and the heirs male lawfully procreated or to be procreated between them, which failing to the lawful and nearest heirs male of the said Lord Hay and his assignees, of the Kirklands of the Provestry of the Collegiate Kirk of Bothanis, with mansions, teinds, etc., lying in the parish of Bothanis, Constabulary of Haddington and Shire of Edinburgh. Holding from the granter of the said Master Walter Hay. Reserving the Manse and glebe to the Minister or reader of the said Kirk. At —— the —— day of —— 159—. Witnesses, ——. Confirmation dated at Bothanis 10th May 1592. Witnesses, Mr. Alexander Ballenden, son of James Ballenden of Pendreich, James Kirkwod, burgess of Haddington, William Mertein in Morhame, William Hay in Kirkbank, and James Gray, notary public. (*M.*)

905. 1st June 1592. Charter by James Lord Hay of Yester in favour of Dame Margaret Ker, his spouse, in liferent, of the Mains of Yester and Hedinghill, the lands and Mains of Park, lying in the barony of Yester and shire of Edinburgh. Holding from the granter of the King for service used and wont. At Morffett 1st June 1592. Witnesses, Alexander Bellenden, George Ker and Alexander Lauson, servitors to the Laird of Newbotle. (*M.*)

Seal of granter in good condition.

906. 1st June 1592. Duplicate of the foregoing. (*H.*)

Seal appended in good condition.

906A. 26th June 1592. William Hay of linplumis sasine of the Kirkland of the vicarage of bara, 26 Junij 1592 vnder the note of Johne Wilkie. *No.* 77. 1617 *Linplum Inventory.* (*H.*)

907. 19th September 1592. Sasine following upon the foregoing Charter, No. 905. Andrew Ker in Bothanis is bailie and Alexander Home in Keringtoun is attorney for the said Dame Margaret Ker. Dated 19th September 1592. Witnesses, Alexander Lyndsay in Duncanelaw and William Home in Newlandis. John Foulis is notary. (*M.*)

908. 16th November 1592. Tack by James Lord Hay of Zester, with consent of his spouse, Dame Margaret Kar, to Robert Diksone, occupier of the granter's lands of Mureburne, of the said lands for 19 years from Whitsunday 1593, paying yearly 12 marks; Bothans, 16 Nov. 1592; witnesses, Thos. Scot, Alex. Lindsay and Thos. Diksone. (*H.*)

Signed.

908A. 24th and 30th November 1592. Discharge by John Lord Thirlestane, chancellor of Scotland, and Dame Jeane Ffleming, his spouse, to James now Lord Hay of Zester for payment of £1000 scots in redemption of the lands of Ugstoun, constab. of Haddington, wadset to them by the said lord as principal and Pat. Hepburne of Wauchtoun, Geo. Home of Broxmouth and Wm. Congiltoun of that Ilk as cautioners, on 29 May 1591; Lethingtoun and Edinburgh, 24 and last day of Nov. 1592: witnesses, Richard Hereot, ygr. of Trabroun, Rob. Fleming, John Striveling and Adam Mathesoun, Thirlstane's servants. (*H.*)

Signed.

909. 12th December 1592. Instrument of Sasine following on No. 901, given to George Zoung in Monktoun as attorney. Done at Nether Meynzene, between 10 and 11 a.m., 12 Dec. 1592; witnesses, Wm. Moffatt in Glenkirk, John Fraser in Olivercastell, Wm. Fraser servitor, Thos. Geddes of Harestane, John Moffatt in Garrymone. Thos. Mariorybankis, N.P. (*H.*)

909A. 2nd January 1592/3. Item ane dispensatione subscribed be James King of Scots, The Earle of Gourie and Lord Blantyre In favors of James Tweidy sone and apperand aire to Wm. Tuedy of Drummelyear to enter to his waird landis notwithtstanding of his minoritie daitted and subscribed at Holyruidhous 2 Jarij 1592 and the kingis reigne the 16 yeir. *No.* 27, 1674 *Drumelzier Inventory.* (*H.*)

910. 6th January 1592/3. Charter by James Lord Hay of Yester, with consent of Dame Margaret Ker Lady Yester, his spouse, in favour of James Cranstoun, servitor to the King, and Marjorie Todhunter, his spouse, of an

annualrent of 200 pounds scots, out of his lands of Yester, Belten and Bothanis. Holding of the granter in fee and heritage for yearly payment of one penny scots in name of blench ferme. At Newbattill and Prestongrange respectively 6th January 1592. Witnesses, Master Gedione Murray of Glenpoitt, Master Alexander Bellenden, Thomas Giffard and Henry Ker, servitors to the Laird of Newbuttill, William Hay, agent to the granter, Arthur Ray, notary public, and John Henrie. (*M.*)

This document is much mutilated.

911. 7th January 1592/3. Resignation by James Lord Hay of Yester, with consent of Dame Margaret Ker, his spouse, of his husband land in Duncanlaw, called Quhitchesterland, occupied by Robert Fell in Duncanlaw, in the barony of Duncanlaw, shire of Edinburgh and Constabulary of Haddington, by Mr. James Spottiswod, his procurator, in the hands of the King as superior, in favour of and for infeftment thereof to be given to Mr. William Hay, son of William Hay, portioner of Barro. At Newbottle 7th January 1592. Witnesses, David Crichtoun of Lugtoun younger, Alexander Bellenden, David Borthuick and George Ker, servitors to the Laird of Newbottle. (*M.*)

Seal of granter.

911A. 29th January 1592/3. A rentall grantit be James Lo. hay of yester to Jhone cunninghame of birkschaw of the 40s. land of Dardaroch, 10s. land of Widheid, 10s. of land of Wallastone, 10s. land of Oversraith, 56s. 8d. land of Coksoune, 20s. land of Netherbordland called the plaice of Snaid, 6s. 8d. land of Kidsoune, 6s. 8d. land of Keulsoun with the mil of snaid for the yearlie payment for the landis of Dardaroch and Widheid of 7 lib. 10s. and for the remanent landis contained in the said rentall 23 lib. 5s. 4d., of the dait the 29 Januare 1592.

A precept of Clare Constat be James Lo. hay of yester for infefting Jhone cunninghame of birkschaw in the 3 merk land of fleuchlarg and 2 merk land of birkschaw, daited 20 Januare 1592.

Ane instrument of seasing following thairupon given be Cuthbert cunningham notar, 28 of march 1593. *Nos.* 1, 2 *and* 3, *Minutis of Writs produced by C. of Birkschaw.* (*H.*)

912. 31st January 1592/3. Reversion by James Liddell in Maldislie in favour of James Lord Hay of Zester of an annualrent of 100 merks scots from the said lordis lands of the Mains of Louchequharrat, occupied by Andro Thomesoun, Thos. Makcumboy, Alex. Patersoun and John P. his son, on payment of 1000 merks, Newbottill; 31 Janry 1592; witnesses, William Hay *alias* Northland Williame, Andro Thomesoun in Louchequharrat Manis, Geo. Elphingtoun, servitor to the said Lord. Signed by John Liddell and Margaret Borthuik, their hands led by Wm. Abircrumby, N.P. (*H.*)

Seal gone.

913. 6th February 1592/3. Contemporary copy of a Tack by James Lord Hay of Zester, heritable proprietor of the lands underwritten, to Ralf Ker and his heirs of the lands of Halflekhill, paying yearly 40 merks in two portions at Whitsunday and Martinmas; Newbottill, 6 Feb. 1592; witnesses, Mr. Alex. Bellenden, Thos. Gifhart, Thos. Elphingstoun, servitor of the said Lord, and Geo. Ker.. (*H.*)

Signed.

914. 26th February 1592/3. Instrument of Sasine by Thos. Smytht in Beltoun, following on and narrating a precept of Sasine dated at Prestoungrange 16 Janry. 1592 and witnessed by Wm. Hay *alias* Norland William,

Wm. Hay agent, servitors of Lord Hay, and Rob. Schortus, N.P., by Jas. Lord Hay of Zester, with consent of his wife, Dame Margaret Ker, and of Mark Lord Newbottill, Alex. Hay of Eister Kennat, Clerk Register, and John Hay of Smychtfeild, to infeft Henry Lawder, brother german of um. Alex. Lawder of Winowquhy, and Christian Hay, his spouse, in an annualrent of 230 merks from the lands of Beltoun, constab. of Haddington: Done 9 a.m., 26 Feb. 1592; witnesses, Wm. Hay, servitor of said Lord, Andrew Smytht, brother german of said Thos. S. in Beltoun, Wm. Dischingtoun ygr. there, Rob. Lawder, brother german of Alex. Lawder of Vinowchy, and Alex. Hay, servitor of Arthur Storie, Robert Schortus and Alex. Kellie, notaries. (*H.*)

915. 3rd April 1593. Instrument taken upon No. 911, dated 3rd April 1593. Witnesses, Michael Elphingstoun, Alexander Young, George Murray, servitors to the King, and Master David Foulis, secretary depute. David Moysie is notary. (*M.*)

916. 14th May 1593. Precept of Sasine by James Maitland (apparent? *this word scored out*) of Lethingtoun, son of um. Wm. Maitland ygr. of Lethingtoun, superior of the under mentioned lands, addressed to George Cranstoun, following on Retour of Inquest in Chancery finding John Cranstoun heir of his father, um. Richard C. of Skaittisbus, in the lands of Marweingstoun, lying in the barony of Boltoun and constabulary of Haddington; Edinburgh, 14th May 1593; witnesses, Andrew Kneland, N.P., Richard Lowtheane, the granter's servitor, and Richard Murray, servitor of the Lord of Hereiss. (*H.*)

Signed and seal gone.

917. 16th May 1593. Sasine proceeding upon No. 916: 16th May 1593. Witnesses, Thomas Merschell, George Cruk and James Cruke, his son, indwellers in Mervingstoun. George Cranstoun is bailie and James Justice is notary. (*M.*)

918. 5th and 6th November 1593. Charter by James Lord Hay of Zester, with consent of Mark Lord of Newbottill and Alex. Hay of Eister Kennat, Clerk Register, at whose instance he is interdicted, in fulfilment of a contract between the granter and William Horsburght, brother german of Alex. H. of that Ilk, to the said William and his heirs of the granter's lands of Eddistoun in the barony of Lyne, Peeblesshire, excepting the ferme aikeris; with clause containing precept of sasine addressed to Thos. Horsbruik, burgess of Peblis. At Bothanis, Neubottle and Edinburgh, 5th and 6th Nov. 1593; witnesses, Alex. Horsburgh of that Ilk, John Riddell his servitor, Alex. Home in Caringtoun, Jas. Dischingtoun in Newbottle, Geo. Johnstoune, burgess of Hadington, Mr. Alex. Bannatyne and Thos. Giffert, servitors to Lord Newbottle, George Duff and Mr. Geo. Boniman, servitors to the Clerk Register. (*H.*)

Signed by granters and witnesses. Lord Hay's signature cut out to shew cancellation. Seals gone.

919. 14th and 18th November 1593. Charter by Daniel Hay, prebendary of the prebend of Kirkbank, within the Collegiate Kirk of Bothanis, with consent of James Lord Hay of Yester, patron of the said Prebend, Mr. Walter Hay, provost, and the other prebendaries of the said Kirk in favour of Mr. William Hay, son and heir apparent of William Hay in Barro, of the lands of Kirkbank, extending to two husbandlands, presently occupied by Wm. Hay there; the corn mill of Kirkbank occupied by Jas. Wod; the lands of Waldoun and a husbandland in Dunkenlaw occupied by Pat. Temple; four husbandlands and six coitlands lying in the town and territory of Dunkenlaw, viz.:—a husbandland occupied

by said W. H. in Kirkbank, one occupied by Alex. Lyndsay in Dunkenlaw, one occupied by Wm. Fylder, and the fourth by John Kemp, elder; one cottage land of the said six coitlands occupied by Cuthbert Blaikie, one by Thos. Herut, two by John Kemp, younger, and two by Jas. Kemp in Dunkenlaw; all lying in the Sheriffdom of Edinburgh and Constabulary of Haddingtoun. Holding of the granter in feuferme fee and heritage. Paying yearly the several duties therein mentioned. At Edinburgh and Bothanes 14th and 18th November 1593. Witnesses, Mr. Alexander Hay, brother german of the granter, William Marjoribanks, portioner of Commoun myre, Gavin Ros, servitor to the granter, Alexander Kar and Patrick Gyffhert, servitors to Lord Yester, and James Gray, notary public. (*M.*)

920. 5th December 1593. Assignation by John Durie, minister at the Kirk of the burgh of Montrois, of his pension of 100 merks from the abbey of Dunfermline (see No. 799) to his son, Mr. John Durie, in part fulfilment of the contract of marriage made between the granter and his son on the one part, and James Mackein and Ewfame Mackein, his daughter, on the other; Montrois, 5 Dec. 1593; witnesses, Mr. Geo. Gladistanes, minister, Walter Andersone, burgess in Montrois, and James Guthrie, clerk thereof. (*H.*)

Signed.

921. 6th February 1593/4. Fragment of a Sasine in implement of a Contract between William Hay of Linplum on the one part, William Hay in Baro, Margaret Hay, his spouse, and Mr. Alexander Gut . . . for his interest, on the other part, and William Sydserf of Rouchlaw on the third part, of date at Edinburgh and Linplum 1st and 6th February 1593, infefting the said William Sydserf in an annualrent of 100 merks furth of the lands of —— and Wynden, in the shire of Edinburgh. Dated 6th February 1593. Witnesses, George Lyle, Archibald Hepburn in Weik of Caitnes, Andrew Hepburne, son of the late Patrick Hepburn of Quhitecastle . . . burgess of Haddingtoun. James Gray is notary. (*M.*)

Mutilated.

922. 1st March 1593/4. Instrument of Sasine following on No. 919 given by Alex. Home in Keringtoun to Alex. Kar, attorney for Mr. Wm. Hay; 1 March 1593; witnesses, Wm. Home in Newlands, Wm. Mertein in Morhame, Rob. Runseman, servitor to Lord Zester, Thos. ——, servitor to the Laird of Newbottill, and Thos. Wod, indweller in the said mill of Kirkbank, Jas. Gray, N.P. (*M. and H.*)

923. 18th March 1593/4. Charter by Mr. William Hay, son and heir apparent of William Hay in Barro, in favour of James Lord Hay of Yester and Dame Margaret Kar, his spouse, and their heirs, of the lands of Kirkbank and others as described in No. 919, which were granted to the said Mr. William Hay by Daniel Hay, prebendary of the prebend called Kirkbank founded in the Collegiate Kirk of Bothanis; Holding from the granter of the said Daniel Hay in feuferme fee and heritage; Paying yearly the several duties therein mentioned. At Bothanes 18th March 1593. Witnesses, Alexander Borthwik, brother german of James Lord Borthwik, George Hepburn, servitor to Lord Yester, Alexander Lyndsay in Dunkenlaw, and James Gray, notary public. (*M.*)

924. 22nd March 1593/4. Instrument of Sasine following on No. 923; 2 March 1593; witnesses, Pat. Newton of that Ilk, Wm. Hay in Kirkbank, Geo. Hepburn and Robert Runseman, servitors to said Lord. Jas Gray, N.P. (*M. and H.*).

925. 5th April 1594. Assignation by John Maxwell, son of Edwart Maxwell of Setainehouss, to James Lord Hay of Zester for payment of 350 merks scots of a decreet purchased by J. M. before Mr. Homere Maxwell, Commissary of Drumfries, of the sum of £200 with 6 merks of expenses against Agnes Ladie Heireiss, executrix confirmit of um. Dame Marie Maxwell, her daughter; another decreet of the Lords of Council, dated 26 July 1594, of the foresaid amount against William Lord Heireiss, intromitter with the goods and geir of um. Dame Agnes Lady Heireiss, his mother, with £20 of expenses; and another decreet of the Lords of Council of the said sum and expenses against the said James Lord Hay of Zester as haifand certaine cofferis in keaping in his L. place of the Neidpeth perteining to the said um. Dame Marie Maxwell with 12 merks of expense, dated 15 Feb. 1594. Peebles, 5 April 1594; witnesses, Richard Cheisholme, burgess of Peblis, Andro Weimes, servitor to said Alex. Ker, Archd. Patersoune, cordiner, burgess of Peblis, and John Tuedy, N.P. (*H.*)

Signed.

926. 27th April 1594. Obligation by Sir John Cokburn of Ormistoun, Knight, Justice Clerk, William Cokburne of Hinderland, and Sir William Cokburne of Skerling, binding them to raise action against the heirs of lyne of the late William Lord Hay of Zester for payment of the sums of money contained in a Bond by the said umquhile William Lord Hay to the said William Cokburne of Hinderland and for recovery of certain oxen and ky spulzeit by the said Lord from him; and upon their obtaining decreet in their favour, to assign the same to James Lord Hay of Yester, in consideration of services rendered by him to the said William Cokburn of Hinderland, specially of a 19 years' tack of the town and lands of Lyne. At Edinburgh 27th April 1594. Witnesses, David Creichtoun, younger of Lugtoun, David Creichtoun, burgess of Edinburgh, his father's brother, David Borthik, servitor to the Lord of Newbottill, Thomas Hay of Scroggis and Mr. William Hay. (*M.*)

927. 7th May 1594. Extract Registered Contract by Mr. James M'Gill of Rankelour Nether for the sum of £1000 scots paid him by James Inglis, merchant, burgess of Edinburgh, to infeft the said Jas and his heirs in an annualrent of £100 scots from M'gill's lands of Pinky; Edinburgh, 7 May 1594: witnesses, Mr. John M'gill, brother german of the said Mr. Jas., Peter Hewat and Harie Quhit, his servant, Notaries Public. Registered at Edinburgh 27 May 1594, at the desire of Mr. Jas. M., Walter Adamsone, merchant, burgess of Edinburgh, his cautioner, and the said Jas. Inglis.

Signed by Alex. Hay. A note states that this was satisfeitt and dischargit 19 Novemb. 1611.

An endorsation bears that at Edr. 1 Feb. 1604 Jas. Inglis required Jas. M'gill, heir to um. Mr. Jas., to pay £2000 at Whitsunday 1604 at Richert Lawsonis, the buikselleris, buytht in Wm. Fowlleis foirland, witnesses, Erthur Claphen, his man. Mr. Pat. Orme and John Dougall, merchant. (*H.*)

928. 16th and 17th May 1594. Contract between James Lord Hay of Yester and Dame Margaret Kar, his spouse, with consent of Mark Lord of Newbottill, and Alexander Hay of Eister Kennet, to whom he is interdicted, on the one part, and John Cranstoun of Skaitisbusk on the other part, Whereby for 1000 merks the said Lord Hay and his spouse bind themselves to infeft the said John Cranstoun in an annualrent of twenty bolls beir furth of the lands and Mains of Gamilstoun, lying in the barony and Lordship of Yester; by two manners of holding, the one of the King and the other of the granter in free blench ferme, for payment of one penny yearly. Which annualrent is to be paid by John Paxtoun and Robert Mekie, present tacksmen of the said lands; and containing Clause of Reversion. At the Bothans, Newbottill and Edinburgh

16th and 17th May 1594. Witnesses, David Borthwik, Thomas Gifhart, servitors to Lord Newbottill, Mr. Alexander Hay, son to Alexander Hay of Eister Kennet, George Tod, his servitor, William Lowthiane, brother to Thomas Lowthiane in Lylestoun, Alexander Kar, Patrik Giffert, servitors to Lord Yester, and James Gray, notary public.

Endorsed on the Contract is a Discharge by John Cranstoun of Skatisbusk to James Lord Hay of Yester and Dame Margaret Ker, his spouse, of the said 1000 merks, dated at Bothanis 14th June 1599. Witnesses, Thomas Cokburne of Newhall, Maister David Ogill, minister at Baro, Mr. George Butlar, servant to Lord Yester. (*M.*)

Paper.

929. ——May(?) 1594. Reversion by John Cranstoun of Skaitsbusk in favour of James Lord Hay of Yester and Dame Margaret Ker, his spouse, containing the sum of 1000 merks as the redemption price of an annualrent of twenty bolls beir, out of the Mains and lands of Gamilstoun, granted to the said John Cranstoun by the said Lord and his spouse, with consent of Mark Lord of Newbottill and Alexander Hay of Easter Kennet, Clerk of Register and Privy Council. At —— the —— day of —— 1594. Witnesses, Alexander Borthwik, brother german to William Lord Borthwik, Alexander Home, Patrik Giffert, servitors to Lord Yester, George Cranstoun, brother of the granter, and James Gray, notary public. (*M.*)

930. 17th May 1594. Charter following on No. 927, with clause containing precept of sasine to Geo. Andersoun, burgess of Mussilburgh; Edinburgh, 17 May 1594; witnesses, Mr. John Makgill, brother german of Mr. Jas. Makgill of Rankelour Nether, Walter Adamsoun, burgess of Edr., Peter Hewatt, W.S., and Antony Quhyte, his servitor, who wrote the said charter in his office on the south side of the Cross of Edinburgh. (*H.*)

Signed. Seal gone.

Note.—Satisfeitt and dischargitt 19 Nouemb. 1611.

931. 17th and 18th May 1594. Charter by James Lord Hay of Zester, with consent of his wife, Dame Margaret Ker, and Mark Lord of Newbottill and Alex. Hay of Eister Kennet, Clerk of Rolls, Register and Council, at whose instance he is interdicted, in implement of a contract between them and Jas. Heriot of Trabroun and Issobella Maitland, his spouse, to them in conjunct fee and their heirs in heritage, of an annualrent of 300 merks scots from the lands of Beltoun; with clause containing precept of sasine to Pat. Dowglas. At Bothanis, Newbottill and Edinburgh, 17 and 18 May 1594; witnesses, David Borthuik and Thos. Giffert, servitors of the said Lord Newbottill, Mr. Alex. Hay, son of the said Alex. Hay, and Geo. Tod, his servitor, Mr. Wm. Hay and Alex. Kar, servitors of Lord Hay, and Jas. Gray, N.P. Signed by the granters (including Margaret Ker, Lady Zester).

Seals gone.

Endorsed is the discharge by the granters to Lord Hay for the sum of 2500 merks scots in redemption of the said annualrent, Elvenistoun 27 Feb. 1595-6: witnesses, Wm. Raburne, Thos. Wod in Quhittinghame, tailor, and Jas. Gray, N.P. (*H.*)

Signed.

932. 17th May(?) 1594. Reversion following on the foregoing for 2500 merks, Elveinstoun, —— 1594; witnesses, Francis Dowglas of Burg, Andro Alane, Heriot's servant, John Wilkie and Jas. Gray, notaries public. (*H.*)

Signed by the granter, his wife and the witnesses. Seals gone.

933. 18th May 1594. Acquittance by Margaret Hepburne, Lady Congiltoun, relict of um. Pat. Congiltoun of that Ilk, and Tutrix-dative to John, Robert, James, Frances, Jane, Barbara and Elizabeth Congiltounis, their children, taking burden for herself and them, and Issobell Congiltoun, another daughter, with consent of her spouse, Robert Hepburne, fear of West Fortoun, for herself, as executors to the said Pat. C. To James Lord Hay of Zester, tutor to Margaret, Elizabeth, Cristiane, Agnes, Jane and Grissell Hayis, daughters of um. Wm. Lord Hay of Zester, in their names For the sum of 2100 marks due by their father to the said P. C. in complete payment of Wm. Congiltoun of that Ilk his tocher gude ; and obligation by said Margaret, Rob. Hepburne, ygr., her cautioner, because some of her children are under 14 and the rest under 21, to keep Lord Hay and his nieces free of all claims by her children. Written by James Gray, N.P. Haddington, 18 May 1594 ; witnesses, Wm. Congiltoun of that Ilk, Henrie Hepburne of West Fortoun, Rob. Hepburne in Over Haillis, and Mr. Geo. Butler, son to um. Pat. B. in Beinsoun Myln, and John Gray, N.P. (*H.*)

Signed by the granters and witnesses.

934. 5th August 1594. Tack by John Commendator of Haliruidhous, with consent of the convent, to James Lord Hay of Zester and Dame Margaret Ker, his spouse, and their heirs, of the teindsheaves of the town and lands of Dunkanlaw, lands of Kirkbank, Schirrefsyde, Waldoun, Walkmylne, the Corn mylne of Dunkanlaw, and Fostersaitt, within the parish of Barro, constab. of Haddington, for the space of nineteen years ; paying yearly 20 merks ; Holyroodhouse, 5 Aug. 1594 ; witnesses, Walter Callender of Bordie, Alex. Kincaid, Adam Bothwell and Henrie Sandilandis, the granter's servitors, and Mr. Wm. Haye, servitor to the said Lord. (*H.*)

Signed, and seal of office appended in fair condition.

935. 17th October 1594. Instrument of Sasine following on No. 930, given to Archd. Marcheinstoun, burgess of Edinburgh, attorney for Jas. Inglis : Pinky, 11 a.m., 17 Oct. 1594 ; witnesses, John Andersoun, burgess of Mussilburgh, brother of the said Geo. A., Thos. Andersoun, son of the said Geo., and John Lowry, dweller in the said burgh of M., servitor of the said Geo. Peter Hewatt, N.P. (*H.*)

935A. 15th February 1594/5. Precept of Clare Constat by Anna Queene of Scottis, Lady Dunfermling, in favour of Wm. Lugtoune as son and heir of um. Thos. L., in the seventh part of the lands of Eastbarns, regality of Dunfermline, Fifeshire, 15 Feb. 1594.

Instrument of Sasine following, 26 April 1594. Jas. Kingorne, N.P. *Items* 4 *and* 5 *of Inventory of Eastbarns*, 1669. (*H.*)

936. 7th June 1595. Instrument of Redemption by Margaret Prestoun, lawful daughter of the late Archibald Prestoun of Valafeild, to William Hay of Linplum, acknowledging receipt from him of 500 merks as the redemption price of an annualrent of fifty merks, furth of his lands of Linplum in Constabulary of Hadingtoun, sold to her by the said William Hay and Helen Cokburne, his spouse, under reversion containing the said sum of 500 merks and renouncing the said annualrent ; dated 7th June 1595. Witnesses, John Wilsone, merchant, Robert Oliphant, John Douglas, burgess of Hadingtoun, Thomas Seytoun of Northrig, Alexander Stevin, servant to the said William Hay, and Robert Seytoun, son to the said Thomas. Alexander Symsoun is notary. (*M.*)

937. 16th June 1595. Reversion by Alex. Vaitche in Hammyltoun, son lawful to um. Wm. V. of Kingsyde, for the sum of 1300 (merks), following on a contract dated 5 June 1595 and a charter by James Lord Hay of Zester, with

consent of Mark Lord of Newbottill, his father-in-law, sole surviving interdicter of the said Lord's lands of Hammyltoun, the lands of Haggen, a brewland in the town and territory of Lyne, and his 40 shilling land of Glenrusco, Peeblesshire; Bothanis, 16 June 1595; witnesses, John Kar, minister of Goddis worde at the kirk of Lyne, Wm. Twedie, John Home, servitors to the said Jas. Lord Hay, and Jas. Gray, N.P. (*H.*)

Signed. Seal gone.

938. 29th June 1595. Reversion by James Tuedie of Drummalzear for the sum of 1400 merks scots, following on a charter to him and his heirs by James Lord Hay of Zester, with consent of Mark Lord of Newbottill, his father-in-law, as the onlie persoun now on lyfe at quhais instance he is interdyctit, of the said Lord's rownie and landis of Olivercastel, occupied by Walter Tuedie and —— ; ane half of his landis of Hairstainis, occupied by Thos. Patersoun ; his half of the landis of Kingildurhoip, occupied by Pat. Tuedie in Cloich, and Mathow Moffet of Quhitecamp, all lying in the barony of Olivercastell, Peeblesshire ; Bothanis penult June 1595 ; witnesses, Wm. Twedie of Wray, John Twedie, "my" brother german, Mr. Wm. Hay, and Wm. Twedie, servitors to the said Lord, and Jas. Gray, N.P. (*H.*)

Signed. Seal gone.

938A. 29th August 1595. Contract between um. Allan Couttis ygr., therein designed of Wester Rossyth, and um. Mr. Allane Couttis, his eldest son and heir, and um. Gavin Douglas in Dunduff and um. Jonet Loghene, his spouse, anent the alienation to them of the four seventh parts of Grange *alias* Eistbarns, regality of Dunfermline, 29 Aug. 1595. Registered 12 Nov. 1595.

Charter following, 13 Oct. 1595.

Instrument of Sasine following, 1 Janry. 1595-6, Jas. Kingorne, N.P.

Charter of Confirmation by um. Queen Anne, 1 Feb. 1595-6. *Items* 13, 14, 15 *and* 16 *of Inventory of Eastbarns*, 1669. (*H.*)

939. 27th November 1595. Discharge by Grissall Hay, sister german of Jas. Ld. Hay of Z. to sd. Lord for an annualrent of 300 mks. forth of Beltone for all the terms and years since decease of their brother, Wm. Ld. Hay of Zester, who died 10 Merch 1590, and resigning sd. annualrent, the sd. Lord undertaking to sustain her in bedding burding and cleithing witht all utheris necessaries. At Bothanis 27 Nov. 1595. Wits., Geo. Hepburne, Hew prestoun, Robert (*sic*), servitors to sd. Lord, and Jas. Gray, N.P. (*H.*)

Signed "Grissel Hay." Witnesses also sign.

940. 27th November 1595. Discharge by Grissell Hay to her brother german, James Lord Hay of Zester, of payment of an annualrent of 500 merks due her from the lands and mains of Beltoun since the decease of their brother, um. Wm. Lord Hay of Zester, who died on the 10th March 1590; and because the said James susteinis me in bedding, burding and cleithing and all vthiris necessaries, consenting to his retaining the said annualrent for his own use so long as she remains in his household; Bothanis, 27 Nov. 1595; witnesses, Geo. Hepburne, Hew Prestoun, Walter ——, servitors to the said Lord, and James Gray, N.P. (*H.*)

Signed.

941. 27th December 1595. Sasine by Thomas Jackson, apparent of Newhowss, following on Precept, dated at Leyes 26 Dec. 1595 and witnessed by Peter Hay of Leyes, Edmund Hay and Walter Hay, his brothers german,

Gilbert Andersoun in Leyes, Wm. Blair, apparent of Balgillo, David Ogilwye of Neidis, Wm. Haitlie and Donald Cargill, co-notaries by Gilbert Monorgrund in Siesyde, with consent of his mother, Elizabeth Blair, to infeft James Small in Keattins, son of um. Jas. S., senior, in his lands of the town of Athmure in the lordship of Erroll, Perthshire. Done in the orchard of Athmwre occupied by John Duncan, 2 p.m., 27 Decr. 1595; witnesses, Peter Hay of Leyes, Edmund and Walter Hayis, his brother german, Gilbert Andersoun there, and Jas. Small in Keattins. (*H.*)

Notaries' signatures cut out to denote cancellation.

941A. 7th January 1595/6. The said Mr. Williame Hayis sasine of the said quarter Landis of Linplum grantit vpoun James Lord Hay of Zesteris charter, daittit the 7 of Januar 1595. Ane charter of fewferme of the saidis quarter landis of Linplum be James Lord hay of Zester to Mr. Williame hay, daittit 3 July 1595. Mr. Williame hayis instrument of sasine of the 4 pairt of Linplum callit Maxwellis quarter, 7 Januar 1595. *Nos.* 17, 18 *and* 31 *of ane minute of Writtis receaved be Dame Margaret Ker Lady Zester fra Johne Lord Hay of Zester her sone*, 1617. (*H.*)

942. 9th January 1595/6. Seventeenth century copy of a Tack by Anne Queen of Scots and Lady of Dunfermline, with consent of her husband, King James VI., understanding that James Ogilvie now of Balfoure, um. Mr. Jas. O. of B. his father, um. Jas. O. of B. his gudschir, and others, his predecessors, have been tackmen of the underwritten teinds, setting to the said James Ogilvie now of Balfoure the teindsheaves and other teinds great and small both parsonage and vicarage of the Parish Kirk and parishes of Muling and Strathardle, with the kirkland in the diocese of Dunkeld and shire of Perth, for 19 years, paying yearly to the granter £120 and to the ministers of the said kirks £100 and the elements of bread and wine to the communion; Edinburgh, 9 Janry. 1595. (*H.*)

Signed by the King and Queen and her councillors, "Compositor, Seatoun Urquhart, Mr. John Lindesay, Mr. Thos. Hammiltoun and Mr. James Elphingston."

943. 20th February 1595/6. Charter by James Lord Hay of Zeister, with consent of Mark Lord Newbottill, to Peter Hay of Leyis, his heirs, etc. of an annualrent of 2 chalders of victual from the granter's lands of Beltoun, constab. of Haddington, and the two part of the lands of Arthmure, Perthshire, in special warrandice thereof; with clause containing precept of Sasine to Thomas Congiltoun in Leill; Edinburgh, 20 Feb. 1595; witnesses, Jas. Stewart in Allantoun, Jas. S., his son and heir apparent, Mr. Wm. Hay, Geo. Hepburne, the granter's servitors, and Gavin Thomsone, servitor of the Lord of Newbottill. (*H.*)

Signed. Signatures cut out to shew cancellation. Seals gone.

944. 25th February 1595/6. Letters of Horning at the instance of John Borthwick, elder, baxter, John Forrester, Gilbert Walker and Allane Hereot, baxters, burgesses of Edinburgh, against James Lord Hay of Yester, as principal, and David Creychtoun and John Ker, burgesses of the said burgh, as cautioners, for non delivery of 80 bolls wheat or the agreed sum of 13 pound scots for each boll thereof in case of non delivery; they having paid 800 pounds scots therefore, and that conform to Bond by the said Lord Hay and his cautioners to them of date 22nd December last, and Registered in the Books of Council and Session 25th February instant. Given under the Signet at Edinburgh 25th February 1595. Certificates of Execution dated 1st March 1595, 26th February and 10th March 1595. (*M.*)

945. 23rd April 1596. Letters under their Signet of Office by the Commissaries of Edinburgh, John ——, Edward Bruce, John —— and John Nicolsone, following on decreet, dated 11 March 1595, decerning Margaret, Elspet, Cristiane, Beatrix, Jane and Grissell Hays, lawful daughters and executors confirmat to their father, um. Wm. Lord Hay of Zestir, and James now Lord Hay of Zestir, their tutor, to pay to Robert Maxwell, baxter, the sum of £40 with 10 marks of fee. Charging them to pay the said sum within 15 days; and, in case of failure, directing their messengers to apprise their lands.

One endorsement bears that Jas. Hairstanes, messenger, served this upon 12 July 1596; and another is a memo of Maxwell's receipt at Bothanes, 20 March 1598. (*H.*)

Signet impressed on paper upon wax.

945A. 3rd June 1596. Contract between Patrick Newtoun of that Ilk and Geo. Hallaybartoune of Eglishcarno, with consent of his spouse, Alison Huntar, on payment of 1000 merks by N. to H. to infeft N. in an annualrent of £80 from said lands in the constab. of Haddington, 3 June 1596.

Charter following, 6 Janry. 1596.

Instrument of Sasine following, 3 June 1596, Jas. Gray, N.P. *Nos.* 1, 2 *and* 3 *Eglishcarno Inventory.* (*H.*)

945B. 18th July 1596. Ane instrument of Sasine of Williame hay of linplum and gevin vpoune James lord hay of Zesteris chartoure of Maxwellis quarter of linplum, daitit the 18 of July 1596 vnder the note of James gray, Notare. *No.* 76, 1617 *Linplum Inventory.* (*H.*)

946. 21st September 1596. Precept of Clare Constat by James Lord Hay of Zester, superior of the lands under mentioned, addressed to Wm. Tweidie, his servitor, in favour of William Hay of Lynplum as heir of his father, um. John Hay of Tallo, in the lands of Craigkingildurris in the barony of Olivercastell, Peebleshire. Neidpeth Castle, 21 Sept. 1596; witnesses, Jas. Hay, Thos. Scott, Wm. Twedie, "my" servitors, and Jas. Gray, N.P. (*H.*)

Signed. Seal gone.

947. 22nd September 1596. Instrument of Sasine following on No. 946; 22 Sept. 1596, 3 p.m.; witnesses, Malcolm Threipland, servitor of John Hay of Smeithfeild, Wm. Welsch in Craigkingilduris, and John Welsch, his servitor. Jas. Gray, N.P. (*H.*)

947A. 28th January 1596/7. Ane reversioune made be Wam. Ker to Wame. Hay of linplum to the Landis of Wynden and cruikis, 28 of Janry. 1596. *No.* 34, 1617 *Linplum Inventory.* (*H.*)

948. 9th May 1597. Charter by Peter Hay of Leyes to Gilbert Monorgrund in Siesyde of his annualrent of twice (Bis) two chalders of victual from the lands of Beltoun (see No. 943). Athmore, 9 May 1597; witnesses, Geo. Hay of Ross, Mr. George Hay, rector of Torreff, Edmund and Walter Hayis, "my" brothers german, Rob. Turnbull of Bogmilne, Mr. Henry Guthrie, minister of Bandochye, and Wm. Haitlie, N.P. (*H.*)

Signature cut out to denote cancellation. Seal gone.

948A. 28th and 29th May 1597. Tack by Robert Stuart, minister of the Croce Kirk of Peblis, with consent of the King, as patron, of the two part of the teind sheaves and wool and lamb teinds of the parish of Kithnes (except

Bandirren) and of Balgoiff to James Halyburtoun of Pitcur, and the third part of said teinds to James Small for the lifetime of said Robert, paying yearly 320 merks, 28 and 29 May 1597.

Another Tack of the said teinds for three 19 years, entry at Beltane 1596, to the said James Halyburtoun and Andro Small, subscribed by the king and the said Rob. 28 and 29 May 1597.

Another tack of said teinds to the first grantees for their lifetimes and after their decease to their heirs for their lifetimes, and after their decease to their heirs male for the said duty, same dates.

A ratification by James Lord Hay of Zester for his right and interest, with consent of Mark Lord Newbatle, his interdicter of the above, 28 May 1597.

A ratification by the said Robert Stuart of sundry tacks granted by James Hay, minister of the Croce Kirk of Peblis, to the said Andro Small, 28 May 1597. *Nos. 5 to 9 Kirklands of Kethnes Inventory.* (*H.*)

949. 20th July 1597. Confirmation by Anne Queen of Scotland as Lady of Dunfermeling, with consent of her husband, Jas. VI. King of Scots, of No. 866; Halyruidhous, 20 July 1597, written by Antony Quhyte, writer in Edinburgh, at the command of the Keeper of our Register, Mr. John Paip, W.S.

Signed, "Jacobus R., Anna R." The following is appended, "Compositio three pundis A. Seton Vrquharte, Mr. P. Huistone, —— Hamilton, Mr. Almusar. (*H.*)

Seal of the Lady of D. appended. Endorsation bears that it was registered at Edinburgh 29 Dec. 1598.

950. —— July 1597. Discharge by Grissall Hay, sister german of James Lord Hay of Zester, on reaching the age of 21, to the said Lord for the sum of 3000 merks in Redemption of an annualrent from the lands of Heuch to be paid by Rob. Home of Heuch in which she was infefted in her minority, and which the said Robert redeemed from her before the decease of her brother William Lord Hay of Zester, who stood surety in another annualrent from his lands of Beltoun to Home that his sister should complete the said redemption. Written by Mr. Geo. Butler at Bothanis —— July 1597; witnesses, Mr. Geo. Butler, Wm. Tuedie and Wm. Twedie. (*H.*)

Signed.

951. 7th October 1597 Bond by David Hoppringell, son lawful to Thos. H. of Milkemstone, with the said Thos. and Thos. Smyth, burgess of Peebles, as his cautioners, to James Lord Hay of Zester for £170, the price of certane tries coft by him from the said lord; Peebles, 7 Oct. 1597; witnesses, Wm. Pringell, son to the said Thos., John Makie in Peebles, John Frank there, and Mr. Geo. Butler, writer hereof, servitor to the said lord. (*H.*)

Signed by the granter and his cautioners, Smyth's hand led by Jas. Tueddie, N.P., and by the witnesses.

952. 30th December 1597. Extract Renunciation by Mark Lord of Newbottle to James Lord Hay of Yester of an Interdict by the said James prohibiting himself from selling any of his lands, etc., of date —— day of —— 158—, and Registered in the Books of Council the —— day of ——, etc., and that in consideration the said Lord Hay has again interdicted himself to the said Lord Newbottle, Francis Earl of Erroll, Lord Hay, Great Constable of Scotland, and Alexander Lord Levingstoun. At Edinburgh 30th December 1597. Witnesses, Mr. Alexander Hay, one of the Clerks of Session, and John M'Intoshe, son to Lauchlane M'Intoshe of Dunnachtane. (*H.*)

953. 6th October 1598. Instrument of Sasine following on a marriage contract between Mr. James Makgill of Rankelour Nather and James M., his

son and apparent heir, on one part, and George Clephan of Keris Logie and Anna C., his daughter, by the said Mr. James of his lands of Pinkeine and Kerss to the said Jas. M. and his future spouse, Anna C. (by her attorney, John Clephan of Hilcairnie), in conjunct fee and their heirs male, etc. Pinkeine, between 8 and 9 a.m., 6 Oct. 1598; witnesses, Mr. David Makgill, brother german of the said Laird of Rankelour, John Broun, Wm. Duncan, John Anderson, Richard Scott, Geo. Andersoun, senior, and Walter Smart, burgesses and inhabitants of the burgh of Mussilburgh. (*H.*)

954. 19th December 1598. Precept of Clare Constat by James Tennand of Linhous by commission from James Sandelandis of Calder, Lord of Torphichen, dated at Edinburgh 29th July 1596 and Registered in the Books of Council 30th of the same, directed to George Young in the burgh of Hadingtoun, temple bailie in that part, for infefting Patrick Home as lawful and nearest heir of the late William Home in Duncanlaw, his father, in a temple land lying in the town and territory of Duncanlaw, shire of Lothian and Constabulary of Hadingtoun. Providing that if the said Patrick resign the said lands in favour of John Home, his son and heir apparent, in the hands of the said bailie, he is to receive the same and give sasine to the said John, reserving the frank tenement of said land in liferent to the said Patrick. At Edinburgh 19th December 1598. Witnesses, Alexander Lawsone, writer, John Dewar, his servitor, William Harcas, temple serjeant, and Gavin Murray. (*M.*)

The seal of Lord of Torphichen, superior, is appended, defaced. Signed by James Tennand.

955. 11th January 1598/9. Auld Rentallis. *Duncanlaw* tenants, Wm. Home, Wm. Geddes, Laird Duncanlaw and Margaret Mure, Jas. Thomesoun, Wm. Geddes, Alex. Lyndsay, Richard Kemp, Wm. Kemp, John Kemp, Cuthbert Blak, Wm. Hay in Kirkbank, Wm. Hunter and Isobel Kemp, Jas. Kemp, Andro Traist (*this page dirty and worn*); *Schirrefsyd* tenants, Wm. Martene, Andro Dixoun; Northland, Wm. Hay; Kirkbank, Wm. Hay; Waldoun, Wm. Hay; Fostersait, John Grant; *Park* tenants, John Grant, Jas. Craig, Jas. Sinclare, Rob. Dixoun in Murburne, Jas. Wood, mill in Zester and another in Duncanlaw; *Gammelstoun*, Robert M'Kie and John Paxtoun, Jas. Blakee in the Walkmylne of bothenis, the Laird of Blanss; *Zester* tenants, Thos. Dixoun, Pat. Colstoun, Thos. Nesbit, John Edingtoun, Christian Walterstoun, Geo. Hunter, Dandie Ker, Jas. Lauder and Jean Hay, Wm. Ker in Wynden, Andro Ker and Marion Cranstoun, Geo. Walterstoun, Jas. Hunter. From this rental there are payments to be made to the Parson of Beltoun, Mr. David Ogill, in name of my Lord Halirudhous for the teinds of Duncanlaw, Daniel Hay, prebendary, Mr. John Scharp, and the following annualrents, to Hendrie Lauder £160 out of Beltoun on 2000 merks, the Laird of Lynplum £100 on 1000 merks, Thos. Scott £40 on 600 merks, Geo. Wauchope £46 : 13 : 4 out of Beltoun on 700 merks, Gilbert Manorgan, £40 on 500 merks, Jas. Nicoll £600, and money is due to Sir Wm. Setowne, Peter Sandersone, Johne Hogg, John Hendersone, Marion Cranstoune 200 merks, out of this rental there also fall to be paid for my lord and my ladie awin clothes; to their necessar usis quhen they occur opin for the Heidinhill and Botthenis; Intertenement of Grissell (Hay, sister of Lord Hay, *C.C.H.*), and the last lordis six dauchteris in clothes; my Ladie borthuik; the restis of William hayis comptis to satisfie and thairfor to see his comptis afoir the hand; Bigging of the place and stablis. (*H.*)

Some names are illegible. Paper.

955A. 18th April 1599. Precept under the Quarter Seal following on fo[illegible]id Charter for infefting the said John Master of Yester in the lands and o[illegible]hers therein named. Dated 18 April 1599. (*Rodono Inventary*, 1675, No. 24.)

956. 18th April 1599. Extract Charter under the Great Seal in favour of John Master of Yester, his heirs male and assignees whatsoever, of the lands of Achquhatmure in the shire of Lanark which sometime pertained to Abbacy of Aberbrothock; the lands of Rodono, to wit, Langbank, Quhytehoip, Litillhoip (or Litill Quhytehoip), *alias* Rodono Chapill and Meikillhoip, with woods, lochs, etc., in shire of Selkirk, which sometime pertained to the Monastery of Melrose; seven acres of the lands of Fluiris in the parish of Peebles at the east end of the Burgh of Peebles, sometime occupied by Katharine Wilsoun, relict of Ninian Lowis, Thomas Twedie, John Bullo, chaplain, Laurence Horsburgh and John Smyth, lying in the shire of Peebles, formerly pertaining to the Monastery of the Holy Cross of Peebles. Holding of the Crown in feu-ferm fee and heritage and paying yearly the several duties therein mentioned. At Halyroodhous 18th April 1599. Witnesses, John Earl of Montrose, chancellor, John Lord Hammiltoun and Aberbrothok, George Earl Marischal, Mr. James Elphingstoun of Barntoun, Sir Richard Cokburn, younger of Clerkingtoun, Mr. John Skene, Clerk Register, and Sir John Cokburn of Ormiestoun, Justice Clerk. Extracted by Alexander Gibsone. Endorsed at Edinburgh 25 March 1656. Produced be Robert Hay, wryter, and conforme to the Act and Proclamation is minuted and recorded in the Books of Exchequer by me, W. Purves. (*Reg. Mag. Sig.*, xli. 533.) (*M.*)

956A. 27th May 1599. A Minute of the old evidents of Linplum. A Charter of "Boydis Quarter" and "Hayis Quarter," of the lands of Linplum, made to Mr. James Hay of Renneis, by the Laird of Linplum, to be held of him and his heirs feu. (*Linplum Inventary*, No. 28, 1617.) (*M.*)

956B. 27th May 1599. A Charter made to Mr. James Hay of Ranneis by William Hay of Linplum of "Maxwellis Quarter" and "M'Dowgallis Quarter" and of the lands of Wynden and Kirklands of the Vicarage of Bara to be held of himself in blench. (*Linplum Inventary*, No. 29, 1617.) (*M.*)

957. 28th May 1599. Acquittance by John Cranstonn of Skeddisbus to James Lord Hay of Zester and Dame Margaret Ker, his spouse, for 1000 merks in redemption of an annualrent of 20 bolls chareteris (cheritit) bear sold him by them with the consent of Mark Lord Newbotle and Alex. Hay of Easter Kennett, Clerk Register, to be uplifted from the lands of Gamelstoun. Written by Mr. Geo. Butler at Bothanis, 28 May 1599. (*H.*)

Signed by the granter, and Andro Hay witness. Paper.

957A. 28th May 1599. A Contract of Alienation of the lands of Linplum, Wynden and Kirk of Bara, made by William Hay of Linplum and Helen Cockburn, his spouse, to Mr. James Hay of Renneis. Registered 28th May 1599. (*Linplum Inventary*, No. 49, 1617.) (*M.*)

957B. 29th May 1599. The Charter of the quarter lands of Linplum called "M'Dowgallis quarter" and of the lands of Wynden, made by William Hay of Linplum to Mr. James Hay of Renneis to be haldin of the Lord Yester. (*Linplum Inventary*, No. 80, 1617.) (*M.*)

957C. 29th May 1599. The Charter of Maxwell's quarter, given by William Hay of Linplum to Mr. James Hay, to be held of the Lord of Yester. (*Linplum Inventary*, No. 81, 1617.) (*M.*)

957D. 29th May 1599. A Charter of Boyd and Hay's quarters of the lands of Linplum given by William Hay to Mr. James Hay, to be held of the Lord of Yester. (*Linplum Inventary*, No. 82, 1617.) (*M.*)

957E. 31st May 1599. Item, Mr. James Hay's Sasine of Maxwellis and M'Dowgall's quarters of Linplum, Wynden and Kirklands of Barra, under the subscription of John Williamson. (*Linplum Inventary*, No. 30, 1617.) (*M.*)

957F. 31st May 1599. Mr. James Hay's Sasine of Boydis quarter and Hayis quarter, of the said lands, under the subscription of John Williamson. (*Linplum Inventary*, No. 31, 1617.) (*M.*)

958. 1st June 1599. Acquittance by Mr. James Niccoll, burgess of Edinburgh, son and heir to um. Jas. N., burgess of Edr., to Mr. Wm. Hay, servitor to Lord Zester, for £600 in complete payment of an annualrent of 120 bolls of victual, half wheat, half bear, for 1598 from the lands of Beltoun, principal 6000 merks; Edinburgh, 1 June 1599; witnesses, John Thomsoun, Thos. Traquair and John Robertson, servitors of Mr. Alex. Hay. (*H.*)

Signed by granter and witnesses. Paper.

959. 15th June 1599. Reversioun by Charles Geddes of Rachane to James Lord Hay of Zester for 1000 merks of the eist pairt landis of Herstoun, but as he delivered 900 merks only to the said lord, therefore the above lands are redeemable for 900 merks; Edinburgh, 15 June 1599; witnesses, Mr. Wm. Hay of Barro, John Eistoun, writer, and Mr. Jas. Maull, writer hereof. (*H.*)

Signed. Paper.

959A. 1599, June penult and 30. Instrument of Sasine following upon the foresaid Precept of Sasine to the said Jon, Master of Yester, of the lands and others beforenamed. Dated the penult and 30 June 1599. Under the sign and subscription of James Gray, notary public. (*Rodono Inventary*, 1675, No. 25.) (*M.*)

960. 2nd July 1599. Acquittance by Geo. Baxter, burgess of Canongait, to James Lord Hay of Zester for £34 for the first term's payment of the sum of £68 due by him to Catherine Wallace, relict of um. Wm. Finder, dakmaker in Canongait, and the granter, as cautioner for Wm. Geddes in Dunkinlaw to the said Catharine; Bothanis, 2 July 1599; witnesses, Mr. Wm. Hay in Baro, Andro Hay, brother german to the Laird of Linplum, and Mr. Geo. Butler, writer hereof. (*H.*)

Signed by the granter's mark "G. ♎" and by the witnesses. Paper.

961. 4th July 1599. Reversion by Charles Geddes of Rachan for 900 merks following on disposition dated 14th and 15th June 1599 at Edr. and Bothanis, by James Lord Hay of Zester, with consent of Dame Margaret Ker and of Francis Earl of Erroll, Alexr. Lord Levingstoun and Mark Lord Newbotle, at whose instance he is interdicted, to the said C. G. of the east part of the said lord's lands of Hairstoun occupied by the servants and tenants of Geddes, and also the three half quarters of the west part thereof occupied by John Patersoun, Jas. Huntar *alias* Gawines Jamy, lying in the barony of Olivercastell, Peeblesshire; Bothanis, 4 July 1599; witnesses, Mr. Wm. Hay and Mr. Geo. Butler, servitors of the said lord. (*H.*)

Signed. Seal gone.

962. 5th July 1599. Reversion by Thomas Patersone in Hairstoun for 400 merks and a three years' tack at a yearly rent of £5 scots, following on the disposition dated at Edr. and Bothanis 14 and 15 June 1599 by Jas. Lord Hay

of Zester, with consent, etc., to the said Thos. of the half of the west part of the lands of Hairstoun occupied by him and his servants, in the barony of Olivercastell, Peeblesshire; Edinburgh, written by Rob. Kirkwod, writter, 5th July 1599; witnesses, Jas. Dowglass of Clapertoun, Chas. Geddes of Rachan, Archd. Millar, writter, Jas. Purves, his servitor, John Chancellar, servitor of said Jas. Dowglass, and Wm. Hay, servitor of Lord Hay. (*H.*)

Signed by T. P., his hand led by the notaries. Seal gone.

963. 14th July 1599. Charter by Christopher Home, portioner of Barow, with consent of James Lord Hay of Yester, in favour of Alexander Home in Sanct Leonardis, of a carucate of land of Barow extending to four husband lands or thereby, viz.: that half carucate of land of the late Alexander Coci and that half carucate of land of the late Adam Lumbard, and four particates in Crwmbestrodir, now called Crumbesydemyre, lying in the town and territory of Barrow, barony of Duncanlaw, shire of Edinburgh and Constabulary of Hadingtoun, Reserving the free tenement or liferent of the same to the granter. Holding from the granter of the said Lord Hay as superior in fee and heritage. Paying to the superior for the half carucate of Alexander Coci one penny in name of feuferme or blench ferme if asked; also for the half carucate of the late Adam Lumbard one pound pepper or twelve pennies money. At Hadingtoun 14th July 1599. Witnesses, Henry Broun in Overkeith, Hugh Baillie, burgess of North Berwick, George Denis, messenger in Hadingtoun, and George Fresar there. James Gray and John Symsoun are notaries. (*M.*)

The granter signs by the notary. Seal gone.

964. 14th July 1599. Charter by Christopher Home, portioner of Barow in favour of Alexander Home in Sanct Leonardis, of his lands called Mayland, with mansion, houses, etc., lying in the town and territory of Barow, shire of Edinburgh and Constabulary of Hadingtoun. Reserving the free tenement or liferent thereof to the granter. Holding from the granter of the King in feuferme fee and heritage, for the yearly duty of ten shillings scots, and doubling the same at the entry of each heir. At Hadingtoun 14th July 1599. Witnesses, Henry Broun in Overkeith, Hugh Baillie, burgess of North Berwik, George Denis, messenger in Hadingtoun, and George Fresar there. (*M.*)

Granter signs by the notary. Seal gone.

965. 20th July 1599. Charter by James Lord Hay of Zester, as superior, confirming No. 963. Bothanis, 20 July 1599; witnesses, Mr. Wm. Hay, portioner of Barow, Mr. Geo. Butler and John Litill, "my" servitors, and Jas. Gray, N.P., writer hereof. (*H.*)

Signed. Seal gone.

966. 23rd July 1599. Precept of Sasine by Anne Queen of Scotland, Lady of Dunfermline, addressed to Alex. Lord of Ffyvie, following a retour of inquest in her own chancery finding Pat. Stanehous heir of his father um. Wm. S., portioner of Northfoid, in his quarter of the lands of Northfoid in the parish and regality of Dunfermling, worth yearly 58s. 7d. with 3 capons; Halyruidhous 23 July 1599, written by Antony Quhyte, writer in Edr. (*H.*)

Signed by the King and Queen and seal of the Lady of Dunfermline appended in poor condition. Marked Comp. four poundis. A. Seton Fyvie, Mr. A. Johnestoun, Blantyre, —— Hamilton.

967. 18th Aug. 1599. Instrument of Sasine by Jas. Forman, bailie of Ed., of the waste and burnt tenement of Jas. Henrisoun in Nether Libbertoun, son of um. Rob. Henrisoun "Lanionis" (skinner) in Edr., on N. side of the Kowgait between lands once of the heirs of um. And. Mowbray, now of the heirs of um.

Alex. Vddert on West, lands once of the heirs of um. Wm. Neill and Thos. Purues, now of John Hendersoun, son of said Jas., on East, the Kowgait on S., and lands or garden once of the heirs of um. Dav. Tod and Alen Zoung, now of Mr. John Layng, Keeper of the Signet, on N., resigned by said Jas. H. and his son, John H., also the built lands of said John H. on N. side of Kowgait between the vinell called S. Mary Wynd on the E., the Kowgait on S. garden of said Mr. John Laing on N. and said waste and burnt land on W. in security of said resignation, to Elizabeth Dunzielstoun, relict of um. Nigell Laing, Keeper of Signet, in liferent, and to Mr. John Laing, Keeper of Signet, and his wife, Rebecca Danielstoun, in fee. Done 4 p.m. Wit., Alen Thomson, "pellione" (furrier), Walter henrisoun, writer, Geo. Wallace, writer, Thos. Laing, servant of said Mr. John L., and Wm. Lenox, servant of said Walt. Henryson, Notar, Mr. Alex. Guthrie, clerk, etc. (*H.*)

968. 17th Oct. 1599. Renunciation by Williame Fischour, merchant, burgess of Edinburgh, son and aire of um. Jonet Gibsone Lady broxismonth, to Jas. hendersone in Nether Libbertoun and John H. his sone of an annual-rent of 12 merks from the tenement of um. Rob. Hendersone, flescheour, burgess of Edinburgh, in the Kowgait, and another of 8 merks from the said land bigget and waist foir and bak vnder and above. At Edinburgh 17 Oct. 1599; wits. Wm. Laynge, writer, Mr. Pat. turnett and Thos. Layng, servitors to Mr. John Laynge, Symeon Hendersone, sone to said Jas, and Alex. Cunynghame, servitor to Thos. M'Caulay, writter. Sgd. Williame Fischear wt my hand A. Conynghame, witness; S. Dick, vitness. (*H.*)

969. 21st Oct. 1599. Acquittance by John Pillanis, cordiner, burgess of Edinburgh, to James Lord Hay of Zester for all sums owing, except the sum of £38 : 12s. Bothanis, 21 Oct. 1599. (*H.*)

Signed. Paper.

970. 13th May 1600. Extract Registered Bond by James Richardsoun, elder of Smetoun, with consent of Elizabeth Douglas, his spouse, and James Richardson, fiar of Smetoun, their son, to James M'Gill, eldest lawful son and apparent heir of Mr. James M'Gill of Rankeillour Nether, binding themselves to sell to him, and Anna Clepane, his spouse, in conjunct fee in respect of 2000 merks, their manor place and fortalice of Pinkin with pertinents, lying in the Lordship of Musselburgh shyre, regality of Dunfermline and shire of Edinburgh, and to infeft them therein warranding them from their own fact and deed, and from the facts or deeds of the late Mr. Robert Richardson, his father, feuar thereof. At Edinburgh and Smetoun, 13th May 1600. Witnesses, Mr. John Nicolsoun and Mr. John M'Gill, advocate, Mr. George Neisbit, schoolmaster at Musselburgh, Arthur Clepane, servitor to the said Laird of Pinkin, James Harvie, servitor to the granter, Mr. Gavin Nisbit, servitor to the Laird of Craigmillar, George Bennet and John Barbour, notaries in Musselburgh. Signed Joannes Skene, Cls. Regr., etc. Registered at Edinburgh 30th December 1601. (*M.*)

Paper.

971. 13th May 1600. Factory by Mr. Josua Dury, minister at the Kirk of Forfar, to Mr. David Aytoun, advocate, for uplifting a yearly pension of 100 merks gifted to him by the late Robert, Commendator of Dunfermline, out of the feu maills of the Abbacy thereof—during his lifetime. And the said Mr. David Aytoun binds himself to pay to the said Mr. Josua Dury 52 pounds at 2 terms yearly beginning at Whitsunday 1600 during the lifetime of the said Mr. Josua: The Commendator's Gift is dated 16th June 1577, and the Factory is dated at Edinburgh 13th May 1600. Witnesses, Mr. James Aytoun, Magnus Aytoun, brother german to the said Mr. David, John Dewar, notary public, and John Tennent, servitor to the said Mr. David. (*M.*)

Signed. Paper

971A. 24th May 1600. A Contract between William Hay of Linplum and Mr. James Hay of Renneis, registered 24th May 1600. (*Linplum Inventary*, No. 51, 1617.) (*M.*)

972. —— June 1600. Discharge by Mr. John Manderstoun, person and prebendar of Belton, to James Lord Hay of Yester of 100 merks, 8 bolls aitemeall and 4 stanes cheese as the duty and maill of the tack of the great teinds and small of the toun and lands of Beltoun for the year 1599. Written by Mr. George Butlar, servitor to the said Lord. At Edinburgh —— day of June 1600. Witnesses, John Ballantine, burgess of Edinburgh, Henrie Halden, Paull Waitt. (*M.*)

Signed. Paper.

973. 24th and 25th July 1600. Contract between James Lord Hay of Yester, with consent of Dame Margaret Ker, his spouse, on one part, and Henrie Dewar in Dunkenlaw on the other part. Whereby the said Henry renounces any right he might have to the lands of Braidzairdis extending to —— husband lands lying in the territory of the town of Dunkenlaw, barony thereof, shire of Edinburgh and Constabulary of Haddington, or which the late William Dewar in Dunkenlaw, his father, or the late —— Dewar, his ——, or any his predecessors had in and to the same, he having no evidents—and on the other part the said Lord Hay noways granting the said Henrie or his predecessors to have had any heritable title to said lands, yet out of pity for him, his wife and bairns being presently in great necessity, advanced to him certain sums of money—and setts in tack to the said Henry and Janet Craeis, his spouse, his coitland which his said father occupied and which he himself now occupies ; during their lifetimes, for yearly payment of 6s. 8d. scots, 2 kain fowls and a sheirar daily during the said Lord's harvest with service of a horse to lead the said Lord's peats, etc. At Hadingtoun and Bothanis, 24th and 25th July 1600. Witnesses, Daniel Broun in Fentoun, Hector Campbell, Richert Broun, Nycoll Broun, burgesses of Hadingtoun, Alexander Borthuik and Mr. George Butler. James Gray and John Wilkie are notaries. (*M.*)

Signed. Paper.

974. 18th Dec. 1600. Charter by Mr. James M'Gill of Rankelour Nether, senior, to James M'Gill, younger, his eldest lawful son, and Anne Clepane, his spouse, and the survivor of them in conjunct infeftment, and the heirs male lawfully procreate or to be procreated between them, which failing to the lawful and nearest heirs male of the said James M'Gill, younger, bearing the sirname and arms of M'Gill, and their assignees whatsoever heritably of the lands of Pinckin and Kerse, lying in the shire and Lordship of Musselburgh, Regality of Dunfermline and shire of Edinburgh—Holding from the granter for payment 23 pounds, 16 capons and £7 : 13 : 4 in augmentation of rental. In implement of Contract of Marriage between the said Mr. James M'Gill, senior, Jane Weymis, his spouse, and James M'Gill, younger, his eldest lawful son as principals, and Sir Robert Melvill, younger of Brunteland, Knight, and David Wod of Craig, as cautioners on the one part, and George Clepane of Carslogie, Anna Clepane, his eldest daughter, as principals, and David Kynnynmouth of that Ilk, and James Weymis of Balquharg as cautioners on the other part, of date at Monymaill, —— day of —— 1598. At Edinburgh 18th Dec. 1600. Witnesses, Mr. John M'Gill and Mr. David M'Gill, brothers german to the granter, Arthur Clepane, servitor to James M'Gill, younger foresaid, Mr. Oliver Colt, advocate, and James Leslie, his servitor. (*M.*)

Signed. Seal gone.

975. Another copy of same.

Seal of granter slightly defaced.

976. *C.* —— 1600. Charter by Mr. John Makgill, arch-presbyter of Dunbar, superior of the underwritten lands, to a noble youth John Hay, Master of Zester, and his heirs male, of two acres of Kirkland in the town of Beltoun near the lands of West barnis, between the Bairdisbalk on the west, lands of Beltoun on the south, the water and public road on the east, and lands of West barnis on the north, lying in the constab. of Haddington, first held by Robert Swyntoun of that Ilk, from whom they were apprised at the instance of um. Wm. Lord Hay of Zester; to be held in feuferm, paying 14 shillings yearly, doubling the feuferm at the entry of each heir. Written by James Gray, n.p., common clerk of Haddington. (*H.*)

The charter has not been completed. Tag.

977. *C.* 1600. Tack by James Lord Hay of Yester with consent of Francis, Earl of Erroll, Alexander Lord Levingstoun and Mark Lord Newbattle to George Broun, Issobell Patersoun, wedow, Issobell Stensoun, wedow, John Veitche and Martyne Richesoun, occupiers of a quarter and 1/3 part of another quarter of the town and lands of Lyne lying in the shire of Peebles, of the said quarter and 1/3 extending to 80 soumes gras, viz. to the first 3 tenants 20 sowmes each and to the last two 10 sowmes each for 19 years for yearly payment of 20s. for each soume. Written by Arthour Ray, notary. At ——, —— ——. Witnesses ——. Signed, James Lord Hay of Yester, Newbotle; Gawane Thomsone, witnes; Thomas Trustie, witnes; Mr. George Butler, witnes; John Ker, minister at Lyne, witnes. (*M.*)

978. *C.* 1600. Draft Decreet Arbitral by Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, Chancellor of Scotland, and Sir William Seytoun of Kylismure, Knight, arbiters chosen by James Lord Hay of Zester, with consent of the persons underwritten, on the one part and William Hay of Linplum, Mr. William Hay of Barra and Mr. John Hay his brother german on the other part, anent the boundaries of Duncanlaw, Linplum and Barra; whereby they decern that part of the lands of Duncanlaw "lyand beneth the court gett" to pertain to the said James Lord Hay his heirs and successors in property, in such form that the saids William Hay of Linplum and William Hay of Barra their heirs and successors may not at any time pretend right of Commonty or common pasturage within the same, and that they and their successors have commonty and common pasturage in the other lands of Duncanlaw above the Court gett, except upon the "sawin corn land and meadow land thereof"; and decern that "lon lyand betuix the arrabill lands of Linplum and Barra" to pertain to the said Laird of Linplum and Mr. William Hay in property, and that Lord Yester and his tenants have no commonty within the same; and also finding that the heritable right of the south aisle of the College Kirk of Bothanis pertains to the said William Hay of Linplum, and he to uphald the same in "wallis, woundois, thak ruif paithment staves and other necessaris, and to repair the said Ile with daskis and ane chancellerie wall and durr for his awin use as oft as it sall happin him his houshald and familie to repair to the said Kirk, and the key of the said chancellarie durr to be kepit in all tymes heirefter be the minister or Kirk-warden for the use of the parochinuaris repairing to the said Kirk in absence of the said William Hay"; also ordaining the said William Hay of Linplum "be our advyis in the option of the said James Lord Zester either to present a prebendar to that prebendary of the Kirk of Bothanis callit —— and to cause the said prebendary immediately after his admission, freely to deliver to the said Lord Zester and his successors in the Lordship of Zester a sufficient feuferme infeftment of the walkmilne and milnelands, lying upon the burne of Bothanis within the Constabulary of Hadingtoun pertaining to the patrimony of the said prebendarie to be held of the said prebendar in feuferme for payment yearly of ——, or to deliver to said Lord Zester and his foresaids a sufficient right and title of the patronage of the said prebendarie to the effect he may present a prebendar thereto; and ordaining the said Mr. William Hay to renounce any right he has to the lands of

Quhitchester in the hands of said Lord Zester with the charter and instrument of Sasine, granted to the said Mr. William, thereupon to be cancelled, and the said Laird of Linplum and Mr. William Hay to discharge all actions of ejection, intrusion, etc.: actions for his fee or his wife's bairnis part of guids and byrun duties of the lands of Apiltriecroce, lying in the barony of ——; and on the other part ordain Lord Yester to pay to Linplum the sum of —— and to the said Mr. William the sum of ——, and to grant them a discharge of the byrun duties of that quarter of the lands of Linplum called Maxwellis quarter, and to deliver to the said Mr. William Hay and —— Hay, his spouse, and the heirs gotten or to be gotten betwixt them a letter of Tack of the said lands of Quhitchester for the space of their lifetimes and to their said heir for 19 years after their decease, for payment of 40s. yearly. No date or witnesses; c. 1600. (*M.*)

Paper.

979. 16——. Precept superscribed by James R. direct to George Hay of Moncktoun for Gift to be given him of the Escheat and liferent of all goods, etc., which pertained to William Horsburgh in the Scroggis, who was denounced rebel at the instance of Mr. Archibald Douglas, person of Peblis, for the slaughter of umquhile James Douglas, son of the said Mr. Archibald, at —— the —— day of —— 16——. (*M.*)

Paper. Damaged.

980. 9th March 1601. Sasine proceeding on Precept of Clare Constat (No. 954). Sasine dated 9th March 1601. Witnesses, William Geddas in town of Duncanlaw, John Miller, tailor there, James Quhillous, shepherd there, James Creis and Henry Dewar in Fischerraw, indwellers at the burgh of Mussilburgh. John Dewar is notary and George Young is bailie. (*M.*)

981. 30th March 1601. Charter by James Kingorne, clerk of the Regality of Dunfermline, and Eupham Murray, his spouse, to Alexander Seytoun, Lord Fyvie, his heirs male and of taillie whatsoever of the lands of Morpheisfald with teind sheaves, etc., occupied and possessed by said Lord, lying between the lands of Easter Gellett on the east, south and west, and the lands of East Barnis *alias* Grange on the north—in the parish and Regality of Dunfermline and shire of Fife. Holding of the granter from Anne Queen of Scotland, for yearly payment to her of 6s. 8d. with duplication of same at the entry of each heir. Also giving 3 suits at the 3 head courts of the Regality of Dunfermline to be held in the Tolbooth of the burgh thereof. At Dunfermline 30th March 1601. Witnesses, Patrick Stewart of Bayithe, David Stewart, burgess of Dunfermline, his brother, William Pratus, burgess there, Robert Merser, portioner of Randillik Craigis, William Cairny of Pittecommoun and John Anderson, servitor to the granter. (David Broun, notary, subscribes for Eupham Murray, and Mr. James Rait, also notary, attests. Signature and seal of granter in good condition). (*M.*)

982. 18th April 1601. Sasine on Charter No. 981. William Abirnathie is attorney for Alexander Lord Fyvie and Mr. Thomas Wardlaw, brother german to Henry Wardlaw of Balmule, is bailie. Sasine dated 18th April 1601. Witnesses. George Trumbill, portioner of Grainge, Andrew Trumbill, his son, James Coilzear in Grainge, William Lugtoun, burgess of Dunfermline, Robert Wynrame there, and William Cairnye of Pittiecommonlands, Mr. James Raith, notary public a.r. and d.c. Registered in P.R.S., Fife Sec., Reg. II., 13, at Craill 23rd May 1601. (*M.*)

983. 30th May 1601. Charter by Issobella Tempill, only daughter and heir of the late John Tempill, indweller in the town of Newbigging, with consent of Margaret Hardie, her mother, and she with consent of John Clerk,

her spouse, to David Symsoun, burgess of Musselburgh, and indweller in the said town, and Geills Johnstoun, his spouse, of the tenement described in following entry. Holding from the granter of the bailies, burgesses and Community of the burgh of Musselburgh, for yearly payments of the burgal ferms and annualrents used and wont. (Written by John Paterson, servitor to George Bennet, notary.) Dated at Musselburgh 30th May 1601. Witnesses, John Broun, bailie of the said burgh, Richard Scott, John Anderson and Mathew Wallange, indwellers there, and the said John Paterson. The granters and consenters sign by the notary; the seal of the former is appended in good condition. (*M.*)

984. 30th May 1601. Instrument of Sasine in favour of Isobell Tempill, only lawful daughter of the late John Tempill, indweller in the town of Newbigging, as nearest and lawful heir to her said father in his tenement of land lying in the said town on the east side thereof, between the land of George Anderson on the north, the common vennel on the south, the commonty of the burgh of Musselburgh on the east and west. Holding of the bailies, burgesses and Community of the said burgh in chief in free burgage. Dated 30th May 1601. Witnesses, John Anderson, Richard Scott, Mathew Wallange, indwellers in said burgh, Archibald Broun, James Barbour, indwellers in the said town of Newbigging, and Philip Phlegeour, officer. John Broun, bailie of Musselburgh, is bailie and George Bennet is notary. Done on the ground of said tenement between 9 and 10 a.m. (*M.*)

985. 30th May 1601. Instrument of Resignation by Isobell Tempill, daughter and heir of the late John Tempill, indweller in the town of Newbiging, with consent of Margaret Hardie, her mother, and the said Margaret with consent of John Clerk, her spouse, both of whom renounce their rights in the tenement underwritten, in favour of David Symsoun, burgess and indweller in said burgh, and Geills Johnstoun, his spouse, of the tenement mentioned in No. 984. Dated 30th May 1601. Witnesses, John Anderson, Richard Scott, Mathew Wallange, indweller in said burgh, Archibald Broun, James Barbour, indweller in the town of Newbigging, and Philip Phlegeour, officer. George Bennet is notary and John Broun, bailie of Musselburgh, is bailie. (*M.*)

986. 30th May 1601. Contract between Elspeth Tempell, daughter to the deceased John Tempell in Newbiging of Musselburgh, Margaret Hardie *alias* Couper, her mother, with consent of John Clerk, now her spouse, on the one part, and David Symsoun, burgess and indweller in the burgh foresaid, and Jeillis Johnnestoun, his spouse, on the other part, whereby the persons on the first part bind themselves to sell their heritable and liferent right of that tenement of land which pertained to said deceased John Tempill now pertaining to the said Elspeth as his only daughter and heir, and to the said Margaret Hardie in liferent or conjunct fee, described in No. 984, to the persons on the second part who bind themselves to pay the sum of 40 merks and 100 merks at Whitsunday next to the said Elspeth, and failing her by decease to her said mother and her spouse, the sum of another 100 merks to the said Margaret Hardie and her spouse and failing of them by decease to the said Elspeth, and in case of their absence furth of the country for the time as they are "presently bown" the said sums to be paid to their factors. At Musselburgh 30th May 1601. Witnesses, John Brown, bailie, John Anderson, Richard Scott, Matthew Wallange in Musselburgh, and George Bennett, notary, and John Patersoun, his servitor. Parties sign by the notary, except David Symsoun. (*M.*)

Paper.

987. 8th July 1601. Sasine on Precept of Clare Constat by James Lord Hay of Yester, with consent of Francis Earl of Erroll, Alexander Lord Livinstoun and Mark Lord Newbottell, directed to Thomas Pringle in Culeope,

bailie, for infefting George Hay now of Mounktoun as son and heir of the late Gilbert Hay of Mounkton, his father, in the lands of Nether Minzean lying in the barony of Olivercastle and shire of Peebles. At Bothains 14th —— 1600. Witnesses, Mr. Walter Hay, provost of Bothanis, and John Home, servitor to the said Lord Hay of Yester. Sasine dated 8th July 1601. Witnesses, Thomas Grege in Culeope, Andrew Grege in Westloiche, and George Paterson, son of Thomas Paterson, in Hairstane. Samuel Murray, cl. dio., St. And., N.P. (*M.*)

Paper.

987A. 28th July 1601. Ane procuratory be my Lord Borthuik and his tutor to premonish John Stoddert for redemption of Scheilgreen, daited 28th July 1601. (*Inventary of Scheilgreen*, 1666, No. 31.) (*M.*)

987B. 11th Dec. 1601. Ane Disposition the Tutor of Borthuik to Alexander Horsbruik, daited 11th Dec. 1601. (*Inventary of Scheilgreen*, 1666, No. 30.) (*M.*)

988. 1st Jan. 1602. Charter by James Richardson, elder, of Smetoun, and James Richardson, younger, fiar thereof, with consent of Elizabeth Douglas, wife of the said James Richardson and mother of the said James Richardson, younger, in favour of James M'Gill, eldest son of Mr. James M'Gill of Rankeilour Nether, and Anne Clephane, his spouse, and the survivor of them in conjunct infeftment and the heirs male lawfully procreate or to be procreate between them, which failing to the lawful and nearest heirs male of the said James M'Gill, younger, bearing the sirname and arms of M'Gill; of the manor place and fortalice of Pinkie, with houses, yards, orchards, etc., lying in Schyra (*shire*) and Lordship of Musselburgh, Regality of Dunfermline and sheriffdom of Edinburgh. Holding from the granters of the superior in feu-ferme for yearly payment of 40s. scots conform to the original infeftment to the late Mr. Robert Richardson, Commendator of St. Mary's Isle. (Written by James Leslie, servitor to Mr. Oliver Colt, advocate.) Dated at Smetoun 1st Jan. 1602. Witnesses, Mr. John Nicolsone, advocate, Robert Richardson, son of the said James Richardson, elder, Mr. Adam Colt, minister at Inveresk, Mr. Gavin Nisbet, servitor to George Prestoun of Craigmillar, and the said James Leslie. Elizabeth Douglas signs by the notary George Bennet, attested by John Barbour, co-notary. (*M.*)

Signed. Seals of granters gone.

989. 8th Jan. 1602. Confirmation by Queen Anne with consent of King James VI., her husband, of Nos. 974 and 988. Confirmation dated at Dunfermline 8th Jan. 1602, An. Reg. 35. Signatures of King James and Queen Anne, Queen's Seal complete. Compo. 40 pounds. A. Seton Fyvie, Secretar. Blantyre, M. Hamilton. (*M.*)

989A. 15th Jan. 1602. Ane Procuratory by James and Andro Pringles of Milkiestoune, to Pringles of Gallescheills and Quhytbanks. (*Linplum Inventary*, No. 85, 1617.) (*M.*)

990. 22nd Feb. 1602. Sasine following upon No. 989, containing Precept directed to Mr. James Richardsoun of Smetoun, George Hay of Monktoun, deputes of Alexander Lord Fyvie, principal bailie of the Regality of Dunfermline. Sasine dated 22nd Feb. 1602. Witnesses, Mr. Thomas Hooper, advocate, Edinburgh, George Weddell, Thomas Wricht, Alexander Wrycht, indwellers in the Burgh of Musselburgh, and Archibald Douglas, servitor to the Laird of Smetoun, younger. George Bennet, notary public, A.R. per d.c. (*M.*)

991. 3rd Apr. 1602. Charter by Mr. John M'Gill, Archpresbyter of Dunbar, to Robert Swintoun of that Ilk of 2 acres of arable land of the Kirklands lying in the town and territory of Beltan, which heritably pertained to Grissell, Jean, Margaret, Cristiane, Elizabeth and Beatrice Hays, daughters and lawfully charged to enter heirs of line to the late William Lord Hay of Yester, their father, lying between "lie bardes balk" on the west, the lands of Beltan on the south, the Water and Highway on the east and the lands of West Barnes on the north parts, and which were duly apprised from them by George Deines, messenger and sheriff in that part, at the instance of the said Robert Swinton in a Court held in the Tolbooth of Haddington on 19th Dec. last, in satisfaction of 1000 pounds scots conform to Decree of the Lords of Council and Session, obtained by the said Robert against them. To be held of the granter as superior, in heritage and feuferme for payment of the feu duties and other dues contained in the ancient infeftments thereof. At Edinburgh 3rd Apr. 1602. Witnesses, Mr. Laurence M'Gill, advocate before the Lords of Council, Patrick Veitch, servitor to Mr. Thomas Henrysoun, one of the Commissaries of Edinburgh, Gabriel Forrest, messenger, and Robert Braidie, servitor to the granter. (*M.*)

Signed. Seal gone.

992. 21st May 1602. Procuratory by James Lord Hay of Yester and Dame Margaret Ker, his spouse, to Mr. George Butler, their servitor, to compear on 22nd May instant in St. Giles Kirk of Edinburgh and there to offer the sum of 2000 merks to Mr. William Hay of Barrow and Jane Hay, his spouse, or any in their names, for redemption of 4 husbandlands of Duncanlaw, called Swyndoun lands, lying in the toun and territory of Duncanlaw, barony thereof, shire of Edinburgh and constabulary of Hadington, and the teind sheaves thereof, with the teind sheaves of another husband land there called Quhitchester land. Written by James Gray, notary public in Hadington. Dated at Bothains 21st May 1602. Witnesses, James Hay, Johne Ker, James Farar, "our servitors," and the said James Gray. (*M.*)

Signed. Paper.

993. 22nd and 24th May 1602. Extract Registered Renunciation by Mr. William Hay, portioner of Barrow, and Jane Hay, his spouse, to James Lord Hay of Yester, and Dame Margaret Ker, his spouse, of the four husband lands of Duncanlaw, etc. (*see* No. 992), conform to Contract between them dated at Bothanis and Edinburgh 3rd, 8th and 16th Dec. 1599, and Registered 17th Dec. 1599, and Reversion dated 4th and 8th Dec. 1599. Dated at Edinburgh and Baro 22nd and 24th May 1602. Witnesses, Mr. John Hay, brother to the granter, James Aikinheid, merchant burgess of Edinburgh, Walter Stewart of Crawmond mylne, Mr. George Butler, servitor to said Lord Yester, Mr. John Paip, writer, Wm. Geddes. Registered at Edinburgh 26th May 1602. Signed, John Skene, clerk Register. (*M.*)

Paper.

993A. 5th June 1602. Ane Assignation maide be the Laird of Rossling with consent of Newbotle and Gallascheilles to Alexander Horsbruik of 4000 merks, daited fyft June 1602, registrat in the Books of Counsell. (*Inventary of Scheillgreen*, 1666, No. 17.) (*M.*)

994. 20th June 1602. Contract between Mr. Joswa Durie, minister of the Evangell at Forfar, son lawful to umquhile John Durie likewise minister of the Evangell and one of the conventual brethren of the Abbey of Dunfermline, on the one part, and Mr. James Durie in Wester Gellett on the other part, whereby for certain great sums of money paid, and good deeds done by the

said Mr. James to the said Mr. Joswa, the latter dispones to him a yearly portion or pension of £66 : 13 : 4, which the said Joswa has in liferent, to be uplifted furth of the Abbacy of Dunfermling, for all the days of his life, and for payment thereof, there is specially assigned to him the feu maills of the lands of Northfoid extending to £11 : 14 : 8, the feu maills of the lands of Bayth Bonnalay and Bayth Swyntoun extending to £8 : 6 : 8, the few maillis of the lands of Craigdukies Easter and Wester extending to £9 : 5s., the feu maills of Sanct Margaretistane extending to £10 : 4 : 6, the feu maillis of Bayth Peirstoun and Synne extending to £7 : 11 : 5, the feu maills of the lands of Silletoun Sanderis extending to £4 : 17 : 9, and the remainder of the said sum to be paid by the Queen as proprietor of the Abbacy of Dunfermling extending to £14 : 13 : 4; and to warrand the same to the said Mr. James Durie, conform to Nos. 799 and 820. Reserving the factory made by Mr. David Aytoun anent the premisses. Contract dated at Dunfermline 20th June 1602. Witnesses, Patrick Murray of Windmilhill, Andro Murray, his son, James Kingorne, clerk of the Regality of Dunfermling, and John Anderson, his servant. (*M.*)

Signed. Paper.

995. 1st July 1602. Confirmation by Queen Anne, Lady of Dunfermline, with consent of King James VI., her husband, of No. 981. Dated at Falkland 1st July 1602. Signatures of the King and Queen. Seal of the Queen appended in good condition. Secrety., Blantyr, M. Hamilton. Mr. Almussar, Preistisfield. (*M.*)

995A. 8th July 1602. Ane Band made by William Hay of Linplum to Mr. James Hay of Renneis anent the releif of an annual rent of 40 merks. (*Linplum Inventary*, No. 53, 1617.) (*M.*)

996. 2nd August 1602. Instrument of Resignation by Mr. John Layng, Keeper of the Signet, with consent of Rebecca Danielstoun, his spouse, and Elizabeth Danielstoun, relict of Neill Layng, of his great building or Mansion under and above, having 3 entries in the forepart thereof, viz.: one by the Close late of Alexander Young now of James Brown, another by Suiftis close and the third by Bassindenis close now Stevenson's close, and also containing one entry in the back part thereof at the end of the yard from the Cowgate by the lands sometime of James Henderson now for the greater part belonging to the said Mr. John, also his dwelling house newly built by him adjacent to the said great mansion, lying on the south side of the High Street of the burgh of Edinburgh, near the nether bow, between the waste land of the said Mr. John, the transe of the said closes the lands of the said James Brown, newly built, and the lands of Robert Tod respective on the north, the bowling green of Edward Kincaid and the yard of the heirs of the late Alexander Uddert respective on the west, the lands built and waste of the said James Henderson now for the greater part of the said Mr. John Layng on the south, the lands sometime of St. Mary's Chapel now belonging to the said Mr. John and by him lately built in a great tenement, and the tenements and lands belonging to Alexander Grub, John Robiesoun, flesher, James Curle, Allan Bryntoun, the heirs of the late Thomas Abernethie, and the late Mr. Archibald Grahame and John Scott respective, lying in the Vennel called St. Marie Wynd, on the east. Likewise those waste lands of the said Mr. John lying on the north part of the said great tenement between the close thereof and the said dwelling house of the said Mr. John Layng lately built by him, on the south, the said lands of James Broun and Robert Tod respective, on the west, the tenement of the said Robert Tod on the north, and the lands of Andrew Hunter, William Sprottie and Gilbert Makquhirrie respective, on the east: Also that land wholly waste and burnt, sometime of James Henderson in Nether Libbertoun, now of the said Mr. John Layng, lying on north side High Street of said burgh of the Kowgait, between the lands sometime of the heirs of the late Andrew Mowbray

now of the heirs of the late Alexander Uddert on the west, the lands sometime of the heirs of the late William Meill and Thomas Purves, now of John Henderson, son of the said James Henderson, on the east, the Kowgait on the south, and the lands or yards sometime of the heirs of the late David Tod and Alexander Young, now of the said Mr. John Layng, on the north; in the hands of Archibald Adiesoun one of the bailies of the burgh of Edinburgh: In favour of Mr. Andrew Hamilton, son of Thomas Hamiltoun of Preistfield and Jean Layng, his spouse. Reserving the liferents of the granters. Dated 2nd Aug. 1602. Witnesses, Thomas Hamiltoun, elder of Preistfield; Mr. Thomas Hamiltoun of Drumcairne, advocate of the King; Mr Edward Merschell, Commissary Clerk; William Couper, tailor; Thomas Layng, servitor to the said Mr. John Layng; John Bannatyne, servant to the notary; John Craig and James Young, serjeands of the said burgh. M. Alexander Guthrie, clerk of the community of the burgh of Edinburgh, is notary. (*M.*)

On back is a note dated 16th January 1636 of Sasine given to Sir John Hamiltoun, son and heir of the late Sir Andrew Hamiltoun, of said subjects.

997. 27th Aug 1602. Tack by Sir James Douglas of Drumlangrig, Knight, patron of the parish Kirk of Glencarne, to Andro Reid, tailzeour in Moffetstoun, on payment of 40 merks, of the parsonage and vicarage teinds of the merkland of Moffetstoun: Reserving to Agnes Welsche 2 acres of land and 2 cows grass of the same presently occupied by her; and the parsonage and vicarage teinds of one merkland in Kewlistoun presently occupied by the said Andro, lying in the barony of Snaid and parish of Glencarne, for the space of 19 years, paying to the minister of Glencairne or to the granter 2 merks of teind duty and all taxations the uphalding of the queir of Glencarne and furnishing of the *comunioun* the duty to the Hospital of Glasgow and relieving the granter of all duties upon said teinds. Written by John Rig, notary. Dated at Drumlangrig 27th Aug. 1602. Witnesses, David Murray, John Stewart, James Blaiketour, the said John Rig and George Fleming, messenger. (*M.*)

Signed. Paper.

998. 20th Oct. 1602. Summons at the instance of George Hay of Monktoun, superior of the lands underwritten, against Thomas Hay of Scroggis to compear before the Lords of Council on 24th November next to hear and see it decerned that he had been lawfully put to the horne at the instance of Mr. John Ker, minister at Lyne; and that he had remained thereat unrelaxed beyond year and day and so had according to law "tynt" (lost) his liferent of the half of the lands of Scroggis, and that the maills, fermes and duties thereof appertained to the complainer. Signetted 20th Oct. 1602. (Signet impressed.) Execution by John Scot, sheriff in that part, endorsed. Dated 24th Oct. 1602, to which Alexander Barrie and John Smyth are witnesses. (*M.*)

Paper.

999. 24th November 1602. Renunciation by James Wode in Bothane mylne with consent of Elizabeth Houstoun his spouse, to James Lord Hay of Yester and Dame Margaret Ker his spouse, of the 2 corn mills of Bothanis occupied by him, with multures, knaveships, etc., with 3 acres lying at the bak of the Overmyln and toun of Yester called the Mylnland adjacent thereto, and pasturage of 4 ky with their followers, horse and mare, with the multures, etc. of the baronies of Yester and Duncanelaw; and the 19 years' Tack of the same set to them by said Lord Hay and his spouse of date 26 Dec. 1591. (Written by Robert Pringill, servitor to John Eistoun, writer.) At Edinburgh and —— 24th Nov. 1602. Witnesses, William Ker in Wynden, Mr. George Butler, servitor to the said Lord Hay, the said Robert Pringle and John Paterson, servitor to said John Eistoun. (*M.*)

The granter signs by the notary. Paper.

1000. 28th Dec. 1602. Extract Decree of the Lords of Council in the Action raised at the instance of Mark Lord Newbottle against James Wod, miller at the mills of Duncanelaw and Yester, Master Walter Hay, provost of Bothanis, William Tod, —— Patersoun, his spouse, Thomas M'Ilbowie and Margaret Liddell for payment to the pursuer as donatar to the Escheat goods of James Lord Hay of Yester, of the maills and duties of their lands, as follows, viz. :—James Wod, 18 bolls malt and 22 bolls oatmeal for the said mills for the year 1601 ; Mr. Walter Hay, 32 bolls meall for lands of Redishill and 5 bolls bear and 1 boll oatmeal for 3 acres of land in Annaschott in the lands of Gamilstoun for the year 1601 ; William Tod and —— Paterson, his spouse, 33 bolls victual 2 parts meal and 3rd part beir for three-fourths of the lands of Lochquhirretmains ; Thomas M'Ilbowie, 11 bolls 2 part meal and 3rd part beir for the 4th part of the lands and mains of Lochquhirret, and Margaret Liddell, 6 bolls victual 2 part meal and 3rd part beir for the lands of Lochquhirret mains called John Paterson's lands for the year 1601. The Lords decern defenders to pay as claimed. At Edinburgh 28th Dec. 1602. Signed, John Skene, Clerk Register. (*M.*)

Paper.

1000A. 1602. Publication upon Andro and Thomas Pringles, interdictions registered in the Sheriff Books of Peebles, 1602. (*Linplum Inventary*, No. 90, 1617.) (*M.*)

1001. 8th and 9th January 1603. Letter of Gift by Mark Lord Newbottle, donatour of the escheat and lyfrent of James Lord Hay of Yester through his being denuncit rebell at the instance of Alexander Lawder of Haltoun, to Mr. George Butlar for his lyftyme of the prebendarie of the rude altar in the College Kirk of Bothans vacant by the decease of John Hay in Belheavin, last prebendar thereof, with all the profits, etc. belonging thereto. (Subscryvit be the said Mark Lord Newbottle, donatour foresaid, James Lord Hay of Yester and prebendaries of the said College Kirk of Bothans whose signatures and seills are adhibited.) (Written by Robert Pringill, servitor to John Eistoun, writer.) At Edinburgh and Bothans 8th and 9th of January 1603. Witnesses, Thomas Gifferd, David Borthuik, William Geddes. (*M.*)

The seals, especially of Lord Newbattle, much broken. Paper.

1002. 21st Jan. 1603. Discharge by Mr. John Preston of Fentounbarnes, Collector General to H.M. and treasurer of his hienes new Augmentation, to Mr. George Butlar in name of James Lord Hay of Yester of £24 : 10s. as the yearly feu-duty of the 7 acres of land called the Fluiris, which formerly pertained to the Minister of the Croce Kirk of Peblis and now disponed to the said Lord, for the years 1598, 1599, 1600, 1601, 1602, extending yearly each one of said years to £4 : 10s. Dated at Edinburgh 21st Jan. 1603. Witnesses, Mr. Robert Narne, writer heirof, Samuel Oird, Mr. John Home and George Ireland, servitors to the granter. (*M.*)

Signed. Paper.

1003. 17th March 1603. Letters of Suspension at the instance of William Hay of Linplum and Mr. William Hay, portioner of Barro, against James Lord Hay of Yester, William and Johne Kempis, William Home and William Heddower, his tennents of the lands of Duncanlaw, charging them to compear before the Lords of Council on 5th May next and produce letters of Lawburrowis obtained at the instance of the said James Lord Hay and his tenants against the said suspenders, to hear and see them suspended upon the complainer and to cease from troubling them in the peaceable possession of the lands and commonty of Duncanlaw till the last day of the said month of May ;

because John Spottiswode of that Ilk and George Lyill, fiar of Stainpeth, have found caution for the complainers. Signetted at Edinburgh 17th Mar. 1603. Signet attached within parchment ring 18th Mar. 1603.

Note.—Gilbert Edingtoun dischargit James Home. Witnesses, John Tod, James Blakadder and David Andersoun. (*M.*)

1004. 3rd, 5th and 7th April 1603. Charter by James Lord Hay of Yester, with consent of Francis Earl of Erroll, Alexander Earl of Linlithgow and Mark Lord Newbotle, in favour of Dame Margaret Ker, his spouse, in liferent, of the lands and town of Beltoun, Gilpellat and Bentydod, Maynes of Yester Park, Maynes of Heidinghill with parts and pendicles thereof, viz. :—the foresaid lands of Beltoun, Gilpallet and Bentydod, for implementing that part of a Contract of Marriage between the said Lord Hay on the one part and the said Mark Lord Newbotle and the said Dame Margaret Ker, his daughter, on the other part, of date at Newbottle 30th May 1591, and the Mayns of Yester Park and Heidinghill for renunciation and satisfaction of the lands of Dunkinlaw, Gamelstoun and town of Yester, of the Kirklands of the Collegiate Provestry of Bothanis, formerly granted by Mr. Walter Hay, provost, and the said College to the said Dame Margaret Ker in liferent; holding from the granter of the King for services used and wont. At Bothanis Newbotle, Cannogait and Lithgow, 3rd, 5th and 7th April 1603. Witnesses, Archibald Newtoun of that Ilk, Mr. George Butlair, William Geddes, servitors to the said James Lord Hay, Thomas Giffurde, George Kar, servitors to said Lord Newbotle, Thomas Callender, John Livingstoun, servitors to Earl of Linlithgow, James Robertson and Robert Hay, notary. (The seals of Lord Hay of Yester, Lord Newbottle, and another, apparently a Hay Seal, but somewhat defaced.) (*M.*)

1005. 4th April 1603. Discharge by David Hay, son and apperand air of vmquhill John Hay in Belhavin, prebendar of the prebendarie of the ruid altar situat in the college Kirk of Bothanis, to James Lord Hay of Yester of £200 scots in full satisfaction of all byrunne mailles, dewties, annualrents, etc., perteining to the granter's father be virtew of his provision to the said prebendarie, intromitted with by the granter his brother, father, etc. Dated at Bothanis the 4th Apryll 1603. Witnesses, And. Newtoun of that Ilk, Mr. George Butlar. Signed, David Hay with my hand. Mr. George Butlar, witness; William Geddes, vitnes. (*M.*)

Paper.

1006. 11th April 1603. Sasine on foregoing Charter (No. 1004) in favour of Dame Margaret Ker, dated 11th April 1603. Witnesses, James Brakie in Heidinghill, William Craig in Yester, Henry Pello there, Malcolm Portus, servitor to Lord Hay of Yester, James Ingrame in Park and John Craw in Mill thereof, Robert Be in Kilpallet, Michael Symsoun in Kischilrig, John Kirkwode in Beltoun, James Kirkwode there, John Binnen there. James Gray is notary, Mr. George Butler is bailie, and Andrew Ker in Bothanis attorney for said Dame Margaret Ker. Registered at Edinburgh 22nd April 1603. (P.R.S., Edinr. Sec. Reg., fol. 346.) (*M.*)

1007. 16th April 1603. Crown Confirmation of Charter (No. 1004) in favour of Dame Margaret Ker. Dated 16th April 1603. (The Great Seal in several pieces, much broken.) (*M.*)

1007A. 12th May 1603. Item, a Proces of Appryseing at the instance of the Laird of Horsbruik against the Lord Borthuik of the tua reversiones, Thomas M'Cala clerk to the proces, dated 12th May 1603. (*Inventary of Scheilgreen*, 1666, No. 2.) (*M.*)

1008. 16th May 1603. Letter of Attorney by Margret Hardy and Elspeth Temple of the town of Newcastle upon Tyne to John Clark in Newcastle, yeaman, constituting him their attorney to receive of David Symson of Musselburgh burges the sum of 200 merks scots due to them and their attorney for a tenement of land in Newbigging in parish of Musselburgh in Scotland. The granters sign by their marks and their seales are attached. Dated 16th May 1603. Read, signed, sealed and delivered in presence of George Lovell, who signs with his mark. Edward Matlin signs with his mark. Mychaell Lat . . . , the writer of the same, "my seal declares my name with others." (*M.*)

Paper.

1009. 21st May 1603. Discharge by John Clark, now dwelland in Newcastell in Ingland, for himself and in name of Margaret Hardie, his spouse, to David Symsoun, burgess of Mussilburgh, for 50 merks in complete payment of 140 merks, contained in Contract of date 30th May 1601, whereby the said David was obliged to pay the said sum to the said Margaret in liferent and to Issobell Tempill, daughter of the said Margaret, as for the liferent right of the tenement of land which pertained to the late John Tempill, lying on the east side of the toun of Newbigging of Mussilburght, disponed by her to the said said David: Likewise the said John Clark as procurator and factor for the said Issobell Tempill discharges the said David of 100 merks—as for her heritable right and title of the said tenement. Dated at Mussilburght 21st May 1603. Witnesses, William Duncan, George Andersoun, younger, Mathew Wallange, Archibald Duncan in Mussilburght, James Gourlay, elder, in Newbigging, George Bennet, notary, and John Paterson, his servitor. The said John Clark subscribes by the notary leading the pen because he cannot write. (*M.*)

Paper.

1009A. 28th May 1603. Ane Instrument of Premontioun maide be Alexander Horsbruik of that Ilk to Alexander Lauder of Hethfuile of the receipt of sex hundreth merks and thrie yeares tack, daited 28th May 1603. John Tuedy and Archibald Frank, notaries. (*Inventary of Scheilgreen*, 1666, No. 5.) (M.)

1009B. 1st June 1603. A Precept be Francis Earle of Erroll for giving saising to James Lord Hay of Yester of the landis of Athmure, 1st June 1603. (*Athmure Inventary*, No. 23, 1622.)

1009C. 1st June 1603. Item, ane precept of Clare Constat grantit be the said Francis Earle of Erroll for saising of James Lord Hay of Yester as air to the deceast William Lord Hay of Yester his father, under the said Earle seale and subscription, daited the first day of January 1603. (*Athmure Inventary*, 1662, No. 11.) (*M.*)

1009D. 6th June 1603. Item, ane Instrument bearing saisine given to him (James Lord Hay of Yester) accordinglie under the signe, note and subscription of William Haitlie, notary public, daitit 6 June 1603, deulie registrat in the Secretar's Register of Saisines at Perth under the hand of Mr. Montours Drummond, clerk deput and keeper thereof, on 20th January 1603. (*Athmure Inventary*, 1662, No. 12.) (*M.*)

1010. 17th June 1603. Instrument of Sasine given by Archibald Johnston, one of the bailies of Edinburgh, to Mr. John Layng, Keeper of the Signet, of an annualrent of 10 merks sometime belonging to the late David Cor, son

and heir of the late Robert Cor, furth of that land of Alexander Young, notary, lying within the tenement sometime of the late David Tod between the lands of the said David on the south and north, which tenement lies on the south side of the High Street of said burgh between the tenement of the late Mr. Thomas Marjoribanks on the east and the tenement of the late Alexander Fothringhame on the west. Also furth of those lands of said Alexander Young lying within the said tenement of the said late Mr. Thomas Marjoribanks in the close called —— Close between the lands of the late Thomas Blyth on the north, and another wasteland of the said late Alexander on the south, by delivery of one penny. Done on the ground of said land 3 p.m., dated 17th June 1603. Witnesses, William Mauld, Dean of Guild, George Mauld, his servant, Patrick Andersoun, messenger, and James Young, serjeand of the said burgh. Mr. Alexander Guthrie, common clerk of the burgh of Edinburgh, is notary. (*M.*)

1010A. 21st June 1603. A Seasing given be William Hatelie, notaire, of the lands of Athmure to James, Lord Hay of Yester, dated 6th June 1603. Registrate at Perth in the bookes of Mr. Maurice Drummond, clerk depute their and Keeper of Secretary Registres their, 20 June 1603. (*Athmure Inventary*, No. 24, 1622.) (*M.*)

1010B. 10th Aug. 1603. Item, ane contract past betwixt Peter Hay, eldest sone to umquhile Sir George Hay of Netherliff, thairefter Earle of Kinoull, chancleour of Scotland, with consent of his said faither as lawful administrator, tutor and reuler to him of the law, and the said Earl of Kinoule as tackand burding on him for his said sone on the ane part, and umquhile Gilbert Monorgand in Seasyd on the other part, daitit 10th Aug. 1603, relative to a tack grantit be the said Earle of Kinoull as comendator of the pryore of (*char*)ter hous to the said Peter his sone, his aires maile and assignayes of the teindshevis of the saids lands of Aithmure with the pertinents, and of certane other lands lyand within the paroch of Erroll for certane long spaces and many yeares to run. And thereby the said Peter Hay with consent of (his) said father for the causes therein . . . (*torn*) maid and constitut the said Gilbert Monorgand his airs maile and assignees, cessioners and assignees to the said tack of the teinds of the said lands of Aithmure with the pertinents except the milnelands thereof in sua far as the said tack could be extended to the cropt 1603 and yeares thereof fra then furth to run for yearlie payment of the deutie mentioned in the samen to the persone of the paroch Kirk of Erroll and his successors. (*Athmure Inventary*, 1662, No. 15.) (*M.*)

1010C. 1603. Thomas Pringle's acquittance of 25 bolls victual, 1603. (*Linplum Inventary*, No. 92, 1617.) (*M.*)

1010D. 2nd Jan. 1604. Ane Instrument of Premonitioun be Andrew Horsbruik as procurator for Alexander Horsbruik, his father, to John Stoddert and Alexander Lauder to receave sowmes of money, daited 2nd January 1604. John Tuedy and Archibald Frank, notares. (*Inventary of Scheilgreen*, 1666, No. 4.) (*M.*)

1011. 10th Jan. 1604. Sasine on Precept by Queen Anne with consent of the King in favour of Patrick Stanehous as lawful son and nearest heir of the late William Stanehous, No. 966. At Halyrudhous 23rd July 1599. Sasine dated 10th January 1604. Witnesses, John and William Walwods, serjants and officers of the regality of Dunfermline, Andrew Smyth, portioner of Foid, William Stanehous there, Peter Broun there, and Robert Trumble, son and heir apparent of Henry Trumble, merchant burgess of Dunfermline. James Kinghorne, notary public, p. dom. conc. (*M.*)

1011A. 20th and 21st Jan. 1604. Ane Assignation maide be my Lord Newbottle and Gallascheills of 2000 merks, daited 20th and 21st January 1604. (*Inventary of Scheillgreen*, 1666, No. 16.) (*M.*)

1011B. 14th Feb. 1604. Ane Instrument of Redemption, the Laird of Horsbruik against Alexander Lauder of the lands of Hethpoole, daited 14th February 1504 (*sic*). Thomas M'Calla, notary. (*Inventary of Scheillgreen*, 1666, No. 7.) (*M.*)

1012. 15th Feb. 1604. Charter by James Sandelandis of Calder, Lord Torphichen, with consent of James Tennand of Linhous and Robert Williamsoun of Murdistoun, writer, in favour of William Daill, now in Barro, son and heir of the late Gregory Daill in Barro, ratifying all former Charters and infeftments of the Temple lands of Barro, lying on the south part of Barro, between the lands of Mayland on the east and the Brounehill on the west, the public way on the north and the road leading between Barro and Newtoun on the south, etc., granted to the said William Daill and his predecessors. Holding of the granter in fee and heritage for payment of one penny scots yearly. At Edinburgh 15th February 1604. Witnesses, John Inglis of Wester Harwode, James Sandelandis, Symon Purdie, Alexander Lawsone, W.S., and William Lawsone, his son. (*M.*)

Signed. Seal of granter defaced.

1012A. 16th Feb. 1604. Ane Tack granted be Alexr. Horsbruik to John Stoddert of the lands of Scheilgreen for the space of nyne yeares, daited 16th February 1604. (*Inventary of Scheillgreen*, 1666, No. 8.) (*M.*)

1012B. 16th March 1604. Ane Contract between Mr. James Hay of Renneis, William Hay of Linplum, William Ker of Saltounhall, anent the lands of Wynden and Cruikis. (*Linplum Inventary*, No. 50, 1617.) (*M.*)

1013. 18th March 1604. Charter by William Hay of Linplum to Mr. William Hay, portioner of Barro, his heirs and assignees, of the lands of Craigkingilduris, lying in the barony of Olivercastell and shire of Peiblis. Holding of the granter in feuferme for yearly payment of £9 : 10s. scots with 10s. yearly of augmentation, with clause of reversion containing the sum of one "auld rois noble" to be paid in the low Tolbooth of Edinburgh at the place where the altar of St. James the Apostle was situated. (Written by John Thomson, servitor to Mr. Alexander Hay, one of the clerks of Session.) Dated at Linplum 18th March 1604. Witnesses, George Hay of Monktoun, Mr. Alexander Hay and John Thomson, his servitor. With Precept directed to Michael Hunter of Pollmwde, bailie. (*M.*)

Signed, and seal of granter in good condition.

1013A. 24th March 1604. Ane Assignation maide be Alexander Pringle to Alexander Horsbruik, daited 24th Marche 1604. William Bowie notare. (*Inventary of Scheilgreen*, 1666, No. 10.) (*M.*)

1013B. 24th March 1604. Ane Assignation maide be Alexander Pringle to Alexander Horsbruik, daited 24th Marche 1604. Johne Scott and Johne Hunter notares. (*Inventary of Scheillgreen*, 1666, No. 11.) (*M.*)

1013C. 19th April 1604. Item, a Proces of Appryseing at the instance of the Laird of Horsbruik against the Lord Borthuik of the superioritie of Scheilgreen and Hethpuile, daited 19th Apryle 1604. (*Inventary of Scheilgreen*, 1666, No. 1.) (*M.*)

1013D. 25th April 1604. A Charter to Archibald Adiesoune. (*Linplum Inventary*, No. 60, 1617.) (*M.*)

1013E. In May 1604. Ane Reversion granted by Archibald Adesoune and his wif to Mr. James Hay of Renneis. (*Linplum Inventary*, No. 61, 1617.) (*M.*)

1013F. 2nd May 1604. Ane Procuratorie of Resignation made by William Ker in favour of Mr. James Hay of Renneis of the lands of Wynden and Cruikis. (*Linplum Inventary*, No. 57, 1617.) (*M.*)

1013G. 7th May 1604. A charter following upon (No. 57). (*Linplum Inventary*, No. 58, 1617.) (*M.*)

1013H. 7th May 1604. Ane Instrument of Resignation of Wynden and Cruikis be William Ker in favour of Mr. James Hay. (*Linplum Inventary*, No. 59, 1617.) (*M.*)

1013I. 7th May 1604. Archibald Adesoune's Instrument of Sasine following on (No. 61). (*Linplum Inventary*, No. 62, 1617.) (*M.*)

1013J. 7th May 1604. An Instrument of Sasine of Mr. James Hay of Renneis of the lands of Wynden and Cruikis, under the subscription of Jon Bannatyne, notary. (*Linplum Inventary*, No. 32, 1617.) (*M.*)

1014. 24th June 1604. Charter by James Sandelandis of Calder, Lord of Torphichen, with consent of James Tennand of Linhous and Master Robert Williamson of Mureistoun, writer, in favour of John Master of Yester his heirs male and successors of the templelands of Corshill, templeland of the prebendary of St. Bothanis and half of the templeland of Lyne, which his predecessors had past memory of man ; also the other half of the said templeland of Lyne occupied by Isobella Paterson, relict of Alexander Thoirbrand, lying in the shires of Edinburgh and Peebles respectively ; holding of the granter in fee and heritage. Paying yearly two pennies scots in name of blench ferme. Which lands were formerly held by the late John Lord Hay of Yester for yearly payment of 12s. scots yearly, and had now fallen in the granter's hands by reason of nonpayment of said duty. At Calder 24th June 1604. Witnesses, Robert Heriott, apparent of Trabroun, William Ros, uncle (*patruo*) of Robert Lord Ross, Alexander Lawson, writer, John Inglis of Wester Harwod and Symon Purdie, servitors to the granter. (*M.*)

Signed. Seal of granter cracked in middle.

1014A. 31st July 1604. Item ane contract betuixt the said Alexander Horsbrugh thereby designed of Harcus one the ane pairt and Alexander Horsbrugh of that Ilk on the other pairt anent the heretabill and redeemabill dispositione and alienatione maid be the said Alexander Horsbrugh of Harcus to the said Alexander Horsbrugh of that Ilk and Jonet Riddell his spous and ther aires and assigneyis of all and haill the forsaidis Lands of Harcus witht the tower housis biggingis zeardis toftis croftis pairtis pendicles pertinentis therof lyand withtin the baronie of Edlestoune called the Quhyt baronie and sheriffdome of Peibles. This Contract forsaid is daittit at Peibles last Julij 1604 yeirs and registrat in the bookis of Counsell and sessione 5th August 1611 yeiris and is under the signe and subscriptione of Sir Jon Skeine of Corriehill

clerk of the registre ffor the time. Item ane instrument of resignatione following upon the forsaid contract and procuratorie of resignatione therin conteined quherby all and haill the landis and uthers abovenamed wer resigned in the handis of Jon Archbishop of Glasgow superior thereof, in favouris and for new infeftment to be maid of the same be the forsaid superior to the forsaid Alexander Horsbrugh elder of that Ilk. This instrument of resignatione is daittit 20 febrij 1608 vnder the signes and subscriptiones Mr. James King and Thomas M'Koulay notars publict. (Nos, 23 and 24, 1674, *Inventory of Harcus, etc.*) (*H.*)

1015. 8th Oct. 1604. Discharge by William Hay, portioner of Baro, to James Lord Hay of Yester of the sum of £32 : 9 : 8 for few maill and dewties of the mylne and lands of the prebendarie of Kirkbank for the yeir 1603. To be convertit to the use of Daniell Hay, wryter and prebendar of the said prebendarie. (Written by Mr. George Butlar, servitor to the said Lord Yester.) At Baro 8th October 1604. Witnesses, John Ker, servitor to Lord Yester, William Hay, talzor burges of Edinburgh, John Swintoun, sone lawfull to Robert Swintoun of that Ilk. George Geddes. Signed, Mr. Willm Hay with my hand. Johne Suyntone, witnes. John Ker, witness. (*M.*)

Paper.

1016. 29th Nov. 1604. Instrument of Resignation given by John Broun, bailie of Musselburgh, at request of William Johnestoun, son and heir of the late Mathew Johnstoun, burgess of the said burgh, of a tenement of land belonging to the said late Mathew and now to the said William, lying on north side of said burgh, between the land of Edward Merchemstoun on the east, and common Vennel called Tailzeouris Wynd on the west; in favour of David Symsoun, burgess of said burgh, and Geills Johnstoun, his spouse. Walter Smart, burgess of Musselburgh, is attorney for said Geills. Done on the ground between 2 and 3 p.m. 29th November 1604. Witnesses, William Duncane, bailie of said burgh, James Weach, Richard Scott, Thomas Sandersoun and Robert Craig, indwellers there, and John Smart officer. George Bennett notary public a.r. (*M.*)

1017. 1604-5. Copy Charter by Queen Anne Lady of Dunfermline and patron of the Parish Kirk of Perth, granting to the Provost, Bailies and Council of the City of Perth the manse, rectory and vicarage of the said Parish Kirk, with pertinents called the great College, lying in the Burgh of Perth on the west of the cemitery thereof, between the yard of —— on west, the tails of the yeards now of Thomas Wilson and the heir of the late Alexander Anderson on the south, and the tenement called the Small College on the north of the said cemitery on the east, with advocation, donation and right of patronage of the said Parish Kirk. Rendering yearly 40s. scots if asked. No date, incomplete. c. 1604-5. (*M.*)

Paper.

1018. 9th Jan. 1605. Sasine following upon foregoing Charter No. 1014 in favour of John Master of Yester, dated 9th January 1605. Witnesses, Alexander Speir, burgess of Haddingtoun, John Home in Newlandis and William Home in Duncanlaw. Thomas Heriot in Duncanlaw is attorney for said Master of Yester, Mr. George Butler servitor to James Lord Hay of Yester. Temple bailie, and James Gray is notary public. Registered at Edinburgh 28th January 1605. (*P.R.S., Edinr. Sec. Reg.*, fol. 96.) (*M.*)

1018A. 25th Jan. 1605 Ane Precept direct from the chancellarie of the lands of Scheilgreen, Whytfoldhill and Hethpoole, daited 25th January 1605. (*Inventary of Scheilgreen,* 1666, No. 24.) (*M.*)

1018B. 25th Jan. 1605. Sasine following on (No. 24). John Tuedy, clerk. (*Inventary of Scheilgreen*, 1666, No. 25.) (*M.*)

1019. 2nd March 1605. Copy Disposition by James Lord Hay of Zester to Mr. George Butler, for true, good and thankful service rendered, of an annualrent or pension of 2 chalders victual, viz. 20 bolls beir and 12 bolls oatmeal, out of his lands, baronies and lordship of Zester, lying within the constabulary of Hadingtoun and shire of Edinburgh, and for his better security to infeft the said Mr George therein, to be held of the granter in blench ferme for payment of one penny scots. (Written by James Gray, notary public, common clerk of Hadingtoun.) Dated at the Bothens 2nd March 1605. Witnesses, John Hog, baxter burgess of Hadingtoun, the said James Gray, notary, and Gilbert Gray, his son. (*M.*)

Paper. Not signed nor sealed.

1019A. 2nd March 1605. Ane Instrument of Premonitioun maide be Alexander Horsbruik to John Stoddert, daited second Marche 1605. Jon Cunnynghame notare. (*Inventary of Scheilgreen*, 1666, No. 9.) (*M.*)

1019B. 6th March 1605. Ane receipt and discharge of Writts, Laird of Horsbruik to Alexander Lauder, 6th Marche 1605. (*Inventary of Scheilgreen*, 1666, No. 33.) (*M.*)

1020. 11th March 1605. Bond by Maister George Butlar, servitor to James Lord Hay of Zester, narrating Disposition by the said Lord to him of an annualrent or pension of 2 chalders victual out of his lands and lordship of Zester, "for service done be me to him without ony mention of service to cum." Nevertheless, "I will and grantis and be thir presentis bindis and obligis me to serve the said noble Lord and Dame Margrett Ker his present spouse alanerlie, without forder extention to thair airis and successors in all thair services as I sall be imployit and requirit be thame," "during all the dayis of thairis and ather of thair lyftymes and myne, and that in recompence of the said gift they sustenand and berand alleyis my expensis in thair said services and the tyme of the doing thairof with hors meitt and manis meitt." At Bothanis 11th March 1605. Witnesses, James Gray, clerk of Hadingtoun, and Gilbert Gray, his son. (*M.*)

Signed. Paper.

1021. 31st March 1605. Reversion by Marion Cranstoun, relict of the late Andrew Hay in Bothanis, as conjunct fiar of the lands underwritten, and William Hay, lawful son procreated betwixt the said deceased Andrew Hay and Marion Cranstoun, heir by tailzie and provision of an infeftment granted by the late William Lord Hay of Yester to the said Andrew and his spouse of his three husbandlands lying in the town and territory of Yester, sheriffdom of Edinburgh and constabulary of Haddington, conform to his Bond to them of date at Bothanis 24th July 1585, containing clause of Reversion. To James Lord Hay now of Yester, on his paying the redemption price of 500 merks, and a tack of the same lands for 15 years from the date of redemption thereof, for the yearly duty of 54 shillings scots. (Written by James Gray, notary public and common clerk of the Burgh of Haddington.) At Bothanis 31st March 1605. Witnesses, Master George Butler, William Geddes, John Ker and William Hay in Kirkbank, servants to said Lord Yester. Registered at Edinburgh 3rd April 1605. (*P.R.S.*, *Edinr. Sec. Reg.*, fol. 167.) (*M.*)

The seals of the granters appended, that of William Hay slightly broken.

1021A. 15th April 1605. Ane Instrument of Redemption, Laird of Horsbruik against Stoddert, daited 15th Apryle 1605. John Cunnynghame notare. (*Inventary of Scheilgreen*, 1666, No. 32.) (*M.*)

1021B. 15th April 1605. Ane Instrument of Redemption, Laird of Horsbruik against Stoddart, daited 15th April 1605. (*Inventary of Scheilgreen*, 1666, No. 29.) (*M.*)

1022. 19th May 1605. Tack by Mr. Archibald Douglas, archdean of Glasgow, patron and person of the Parish Kirk of Peobillis, to James Lord Hay of Zester and Dame Margaret Ker his spouse, Lady Zester, their heirs, assignees and subtenants of the teind sheaves and vicarage teinds of the lands of Edderstoun, Jedwartfeild and Cokieland, with pertinents pertaining to the said personage of Peobillis, lying within the parish and shire thereof, for the lifetimes of the said Lord and Lady and thereafter for 3 several periods of 19 years; for yearly payment of £20 scots. At Pebils 19th May 1605. Witnesses, Maister Jhone Douglas, "my sone, consenter heirto," William Ellott, James Ellott in Pebils and Mr. George Butlar, servitor to the said Lord Zester. (*M.*)

Signed.

1022A. 6th June 1605. Ane Renunciation made be Alexander Horsbruik of that Ilk of the lands of Scheilgreen and Whytfoldhill, daited sext June 1605 yeires. (*Inventary of Scheilgreen*, 1666, No. 3.) (*M.*)

1022B. 25th July 1605. Ane Charter under the great seall gevin be our soverain Lord King James the sixt of the lands of Scheilgreen and Whytfoldhill upon ane comprysing to Alexander Horsbruik of that Ilk, daited 25th July 1605. (*Inventary of Scheilgreen*, 1666, No. 26.) (*M.*)

1022C. 25th July 1605. Ane precept following thereon (No. 26) under the Quarter Seall. (*Inventary of Scheilgreen*, 1666, No. 27.) (*M.*)

1022D. 25th July 1605. Ane Seasing following thereupon (No. 27) of the same dait on paper. Archibald Frank, notar. (*Inventary of Scheilgreen*, 1666, No. 28.) (*M.*)

1023. 26th July 1605. Instrument of Sasine on Precept of Sasine contained in No. 1013, dated 18th March 1604. Thomas Hay, brother german to John Hay of Smethfeild, is attorney for Mr. William Hay, portioner of Barro. Sasine dated 26th July 1605. Witnesses, William Geddes of Glencotho and John Scot, his servitor, Edmond Hay, servitor to John Hay of Smethefeld, and Robert Hunter, servitor to Michael Hunter of Pollmwd. James Mowat notary public, Reg. auct et per don. conc. Registered in Sec. Reg. of Berwick, etc., folio 173, 27th July 1605. (*M.*)

1024. 26th July 1605. Another copy of same, without registration docquet. (*M.*)

1024A. —— July 1605. Ane decreit of Renunciation maide be John Stoddart to Alexander Horsbruik, registrat in the Bookes of Counsell, daited —— July 1605. Mr. Alexander Gibsone, clerk. (*Inventary of Scheillgreen*, 1666, No. 14.) (*M.*)

1024B. —— July 1605. Ane Instrument of Consignatioun, Horsbruik *et* Stoddert, day and year forsaid. Thomas Moffet notare. (*Inventary of Scheillgreen*, 1666, No. 15.) (*M.*)

1025. 16th Aug. 1605. Tack by Mr. Walter Hay, minister at Bothanis and prebendar of the rude altar situated in the College Kirk of Bothanis, to James Lord Hay of Yester of 3 acres of arable land of the lands of Annaschot with —— sownes gres in Gammylstoun during the granter's lifetime for yearly payment of 13s. 4d. scots of tack duty. At Bothanis 16th August 1605. Witnesses, Mr. George Butlar and William Geddes, servants to said Lord Yester. (*M.*)

Signed. Paper.

1025A. 16th Aug. 1605. Gift of the Ruid Altar of Bothanes, granted by James Lord Yester, patron thereof, with consent of his interdicter, to Mr. Walter Hay. Dated at Bothanis 16th August 1605. (*Inventary Ruid Altar*, College Kirk of Bothanis, No. 9.) (*H.*)

1026. 18th Oct. 1605. Discharge by Hector Cranstoun, vicar of Pebils, to Lord Yester of 40s. as the vicarage teinds of his lordship lands of Edderstoun, Jedwartfeild, Cokeland and Burrowfeild for the year 1605. At Neidpath 18th October 1605. Witnesses, Mr. George Butlar, writer of the Discharge, and William Geddes, servands to Lord Yester. (*M.*)

Signed. Paper.

1027. 18th Oct. 1605. Tack by Hector Cranstoun, Vicar of Peebles, to James Lord Hay of Yester and Dame Margaret Ker, his spouse, and the survivor of them, their heirs and assignees and successors of "the Teind hay, hempt, lint, cheis, butter, guiss, greys, stirk and staig and all utheris quhatsumever teindis perteining to said vicarage or that the said Hector his predecessors has ever been in use to uplift out of any other pairt of the parochin of Peblis" out of the lands of Edderstoun, Jedwartfeild, Cokeland and Burrowfeild, with the pertinents lying in the sheriffdom of Tweddal and parochin of Peblis, for the space of 19 years beginning at the feast of Beltane, the year 1605, paying therefor yearly 40s. scots at two terms yearly. Dated at Neidpath 18th October 1605. Witnesses, Mr. George Butlar and William Geddes, both servands to the said Lord Zester. (*M.*)

Signed.

1028. 6th Dec. 1605. Assignation by Grissell Hay, sister to James Lord Hay of Zester, with consent of Andro Ker of Brumelands, her spouse, for his interest. Narrating a Contract of Marriage between the said James Lord Hay, her brother, and Dame Margaret Ker, his spouse, and the said Grissell on one part, and Andro Ker, her spouse, on the other part, of date at the Bothanis 9th March 1603, wherein they are bound to grant to the said Lord Hay, Robert Home of Heuch or any other having interest, Letters of Redemption, Resignation and renunciation of all annualrents whatsoever in which the said Grissell was infeft, furth of the lands of Heuch or the said Lords lands of Beltoun, lying in the shire of Edinburgh and constabulary of Haddington, pertaining to her either by infeftment given to her thereof by the said Robert Home, or by umquhile William Lord Hay of Zester her father, or by umquhile William Lord Hay of Zester her brother; therefor the said Grissell sells to the s[illegible] James Lord Hay, her brother, his heirs and assignees, her annualrent [illegible] 300 merks scots, furth of Eistfeild, which were occupied by umquhile Andro Home, Captain of Tantallan, with the links and cunnygairis of Heuchs, and furth of the said Robert's three corn mylls of north Berwick with

multures, etc., Myllands called Mylscraft, houses, biggings, watergangis, passagis pertaining thereto with medo called the north medo and furth of his four croftis of lands, lying besyd the toun of North Berwick, with their pertinents, lying in lordship of North Berwick sheriffdom Edinburgh and constabulary of Haddington, and her other annualrent of 300 merks foresaid, yearly, uplifted by even portions, furth of the said Robert's lands of Heuche, with pertinents lying, as said is, in special warrandice and security of the said other annualrent, sold by the said Robert Home of Heuche, with consent of umquhile Marioun Hepburne, his spouse, to umquhile William Lord Hay of Zester and umquhile Dame Margaret Ker, father and mother of the said Grissell, and to the survivor of them in liferent and to the said Grissell her heirs and assignees in fee heritably, under reversion for 3000 merks ; and upon redemption of the said annualrent to infeft the said James Lord Hay therein. (Written by James Gray, son to James Gray, notary public in Hadington.) Dated at Kelso 6th December 1605. Witnesses, Mr. George Butler, servitor to Lord Hay, Robert Anderson, notary public in Kelso, Leonard Ker, servitor to said Andro Ker, and Andro Litiljohne, servitor to the said Mr. George Butlar. (*M.*)

Signed. Paper.

1029. 6th Dec. 1605. Charter by Grissell Hay with consent of Andrew Ker of Brumelands, her spouse, to James Lord Hay of Zester and his heirs and assignees of an annualrent of 300 merks, mentioned in 1028, holding of the granter in fee and heritage for yearly payment of one penny scots in name of blench ferme if asked. (Written by James Gray, son of James Gray, notary public and common clerk of the burgh of Hadingtoun.) Dated at Kelso 6th December 1605. Witnesses, Mr. George Butlar, servitor to said Lord Hay, Robert Anderson, notary public at Kelso, Leonard Ker, servitor to the said Andrew Ker of Brumelands, and John Litiljohn, servitor to the said Mr. George Butlar. (*M.*)

Signed. Seals of the granter and her husband gone.

1029A. 2nd —— 1605. Ane decreit of redemptioun, Alexander Horsbruik against John Stoddart and Alexander Lauder, extract furthe of the bookes of Counsell daited second —— 1605. Mr. Alexander Gibsone clerk. (*Inventary of Schillgreen*, 1666, No. 13.) (*M.*)

1029B. (1605-14.) A Tak of the parsonage teinds of Jedderfield Edderstoun and Cuckeland sett be Mr. Ard. Douglas to James Lo. Yester and Dame Margaret Ker and their airis for thrie nyntein yeiris (n.d.). (No. 8, *Inventory of Writs to be made forthcoming by Lady Yester.*)

1030. 10th February 1606. Copy Letter of Pension by James Lord Hay of Yester with consent of Francis Earl of Erroll, Alexander Earl of Linlithquhow and Mark Lord Newbottle, to whom he was interdicted, for their interest, in favour of "my loveing servitour and cousin James Hay sone naturall to umquhile James Hay my father brother" in liferent of a pension of 16 bolls victuall, viz. 8 bolls beir and 8 bolls oatmeal furth of the toun and lands of Yester, the said James Hay being bound to serve the granter on horse and foot at home and affeild and sustain a sufficient horse therefore, so long as he is able, and if he fail this pension to expire. At the place of Bothanes 10th February 1606. Witnesses, Mr. George Butlar and William Geddais, servitors to the granter, and James Gray, notary public, writer hereof.

Note.—Mark Lord Newbotill mentioned in the body hes not subscryed it. Erroll and Linlithquhow have subscryved as consenters, but the dait of their subscriptions and of witnesses subscryuers is not insert in the body. (*M.*)

Paper.

1031. 23rd Feb. 1606. Instrument of Collation by Patrick Tempill in Cauldscheill, bailie, to Mr. Walter Hay, minister of the Evangell of the prebendarie callit the Reid altar sumtyme cituat within the College Kirk of Bothanis, with all lands, tenements, annualrents, emoluments and duties pertaining thereto, during his lifetime, conform to Letter of Gift subscribed by James Lord Hay of Zester, patron thereof, with consent of Frances Erle of Arroll, Lord Hay, etc., Alexander Erll of Lynlithgow, Lord Levingstoun, etc., Mark Lord of Newbottill, etc., at whose instance he is interdytit; of date 16th August 1605. Done in the said College Kirk at the pillar where the Reid altar was sumtyme cituat between the hours of 9 and 10 a.m. 23rd February 1606 and of the King's reign 39th and 3rd years. Witnesses, William Murray, John Dicksoune, William Moffet, all indwellers in the town of Zester, and William Broun, scholemaister in Bothanis. Thomas Dunlop is notary. (*M.*)

Paper.

1031A. 3rd May 1606. Ane Tak of the teinds to the said James Lo. Yester and Dame Margaret Ker, his spouse, beginning the third of May 1606, for payment of ten merks scottis money yeirly to Sir George Hamiltoun, fewar thereof. (No. 3, *Inventory of Writs to be made forthcoming by Lady Yester.*)

1032. 10th May 1606. Discharge by Daniell Hay to Mr. William Hay of Barro of £32 : 9 : 8 for the fewdewtie of the land perteining to the prebendarie of Kirkbank for the year 1605. At Edinburgh the 10th May 1606. Witnesses, Mr. Georg Butlar and Peter Hay. (Signed D. Hay.) (*M.*)

1033. 13th May 1606. Tack by Master Walter Hay, Provest of Bothanis, to Master John Hay, Clerk Depute of the burgh of Edinburgh, of the teind sheaves and other teinds of the lands and barony of Yester pertaining to James Lord Hay of Yester, containing the lands and mains of Bothanis and Gammelstoun with pertinents of Reidscheill and Miskowie, the lands and mains of Heidinghill, the town of Yester, the mains and lands called the Park of Yester with the pertinents called the lands of Muirburne, the lands and barony of Newtoun containing the mains and town of Newtoun, Kidlaw, Aikiesyde and Belsibus, Skaitisbus and Munkland of Yester, Newhall, Wodeheid and Wodefute, the lands of Bangrud, Caldscheild *alias* Hammercroce, and Hawdane, lying in the parish of Bothanes and shire of Edinburgh, as part of the patrimony of the said Provestry, for the space of three years and thereafter in terms of three years during the lifetime of the granter, for the yearly tack duty of 200 merks. (Written by John Peter, servitor to Mr. Alexander Guthrie, common clerk of the burgh of Edinburgh.) At Edinburgh 13th May 1606. Witnesses, Mr. Josua Henrysoun, James Mowat and the said John Peter, servitors to the said Alexander Guthrie. (*M.*)

Signed. The seal of the granter slightly defaced.

1034. —— May 1606. Confirmation by Daniel Hay, prebendary of the prebend of the altar of —— called the prebend of Kirkbank situated within the Collegiate Kirk of Bothanis, with consent of Mr. Walter Hay, Provost, and the rest of the prebendaries of the said Collegiate Kirk, of a Charter (No. 923). Confirmation dated at Edinburgh —— day of May 1606. Witnesses, Mr. George Butler, servitor to the said Lord Hay of Yester, Robert Rawsoun and James Purdie, servitors to the said Daniel Hay, the granter. (The seal of the said Daniel Hay the granter is appended slightly defaced.) Endorsed is discharge by said Mr. Daniel Hay of double of the feu duty the 1st year's entry of the persons therein contained. Dated at Bothanis 23 June 1606. (*M.*)

1035. 9th June 1606. Precept of Clare Constat by James Lord Hay of Yester directed to Robert Broun in Edstoun, bailie, for infefting Johne Vaiche, now in Hammiltoun, as lawful son and nearest heir to the late Alexander Vaiche in Hammiltoun, his father, in the lands of Hammiltoun, Haggan with an oxgate of land called the Brewland, lying in the town and territory of Lyne, and 40s. land of Glenrusco lying in the shire of Peebles. To be held of the granter for payment of one penny yearly if asked. (Written by John Tuedie, clerk of the burgh of Peebles.). At Bothanis 9 June 1606. Witnesses, Mr. George Butlar, John Ker and William Geddes, servitors to the granter. (Sig. cut out.)

Note.— —— July 1606. Sasine given by the bailie before Thomas Paterson, James Huntare in Hairstoun, James Hunter in Polmude. (*M.*)

1036. 26th June 1606. Extract Registered Obligation by Thomas Hay of Scrogis and Abigall Carmichaell, his spouse, to William Horsburght in Edderstoun for 400 merks, and failing payment thereof to infeft him in an annualrent of 40 merks out of his lands of Scrogis, lying in the parish of —— and shire of Peebles. To be held of the granter in free blench for payment of one penny if asked—with clause of reversion containing the said principall sum of 400 merks. Dated at Edinburgh 26th June 1606. Witnesses, Allan Lokhart of Cleghorne, David Weir, his servant, and William Horsburgh in Edinburgh. John Eistoun notary. Registered at Edinburgh 6th June 1607. (Signed Joannes Skene, Clerk Register.) (*M.*)

Paper.

1037. 27th Sept. 1606. Contract between Alexander Earl of Dunfermline, Lord Fyvie and Urquhart, Heich Chancellor of Scotland, on one part, and Patrik Stanehous, portioner of North Foid, on the other part, whereby for certain sums of money the said Patrick sells to the said Earl that quarter of the toun and lands of North Foid with pertinents pertaining to said Patrick in feuferm, lying in the regality and parish of Dunfermline and shire of Fife. With the uplifting of the fermes and duties thereof, and shall infeft the said Earl and his heirs male of his body, which failing to Sir William Setoun of Kylesmure, Knight, his brother german, and the heirs male of his body, which all failing to the said Earl's nearest and lawful heirs male whatsoever, in the said quarter of North Foid. To be held of the Queen as superior for payment of the feu maills kaines and duties thereof. For which the Earl is to pay to said Patrick 2000 merks between the date hereof and 18th October next in the palace of Dunfermline. (Written by Robert Trumble, servitor to James Kingorne, clerk of the regality of Dunfermline.) At Dunfermline 27th September 1606. Witnesses, Mr. James Raith and William Abernethie, servitors to the said Earl, David Car, armorar burgess of Dunfermline, Thomas Drysdell, servitor to said Earl, and said Robert Trumble. Patrick Stanehous signs by James Kinghorn, notary. Attested by James Raith, co-notary. (*M.*)

Paper.

1038. 27th Sept. 1606. Charter by Patrick Stanehous, portioner of North Foid, to Alexander Earl of Dunfermling, in implement of a Contract, No. 1037, and for the sum of 2000 merks therein expressed. Holding from the said Patrick of Queen Anne, Lady of the regality of Dunfermling, for yearly payment to the said Queen of 58s. 7½d. scots and 3 poultry and doubling the feuferme at the entry of each heir or heirs thereto. (Written by Robert Trumble, servitor to James Kingorne, clerk of the regality of Dunfermling.) Dated at Dunfermling 27th September 1606. Witnesses, Mr. James Raith and William Abernethie, servitors to the said Earl, David Car, Esquire, burgess of Dunfermling, Thomas Drysdaill, servitor to the said Earl, and the said Robert Trumble. Patrick Stanehous signs by the notary, attested by Mr. James Raithe, co-notary. (*M.*)

Seal of granter in good condition.

1039. 9th Oct. 1606. Assignation by William Hay, servant and agent to Francis Earl of Erroll, to James Lord Hay of Zester and Dame Margaret Ker, his lady, of 2 Tacks, Nos. 896 and 899, to which the said Mr. Walter Hay constitute the said William Hay his assignee, and also to all action of spulzie, etc. competent to him against the heirs or executors of the late William Lord Hay of Zester who last deceased, or any others, for spoliation of the teinds and fruits of the said provestrie for the years 1580 to 1591 conform to Assignation dated 11th February 1591; and seeing the saids Tacks and Assignation were acquired by the said James Lord Hay of Zester upon his own charges in implement of Decreet Arbitral on submission between him and the said Mr. Walter anent the latter's setting tacks of the parsonage and vicarage of the barony of Zester, as the said Decreet Arbitral dated —— day of —— 158 —— bears, and that the said William Hay only received the same in his Lordship's name as his servant, therefore he assigns them to him, with clause of relief. Dated at Neidpeth 9th October 1606. Witnesses, Mr. George Butler, William Geddes, John Ker, servants to the said Lord, and John Temple in Peebles. (*M.*)

Signed. Paper.

1040. 24th Nov. 1606. Confirmation by Queen Anne, Lady of Dunfermling, of No. 1038. Dated 27th September 1606. Confirmation dated at Edinburgh 24th November 1606. Superscribed by the King and Queen. Compositio 10 merkis. Signed by J. Secretar S. Hamilton, Blantyre, Mr. Almusar, Preistisfeild. Seal of the Queen as Lady of Regality of Dunfermline appended in good condition. (*M.*)

1041. 17th Dec. 1606. Precept of Clare Constat by Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, Great Chancellor of Scotland and Provost of the Burgh of Edinburgh, Ninian Macmorane, James Nesbit, James Arnot and Mungo Makcall, bailies, with the Council and Community of the said Burgh, in favour of Alexander Home, lawful son of the late Marion Fell, spouse of William Home in Dunkinlaw, grandson on the mother's side, and Elizabeth *alias* Bessie, Margaret, Issobell, Jonet and Agnes Fells, lawful daughters of the late Robert Fell in Dunkinlaw, as nearest and lawful heirs to the said deceased Robert, in a cottage land sometime belonging to the chapel of the Blessed Virgin Mary situated in the Parish Kirk of Soltra, annexed to the Collegiate Kirk of the Holy Trinity situated near the said burgh, lying in the town and territory of Dunkanlaw, between the lands of James Lord Hay of Yester and the lands of Wm. Dunkinlaw on the east and north. At Edinburgh 17th December 1606. Witnesses, John Robertson, Dean of Guild, Alexander Makmath, treasurer, Patrick Cochrane, Richard Dobie, merchants, and Mr. John Hay, clerk depute of the said burgh. Alexander Guthrie, common clerk of Edinburgh, attests. (The common seal of the Burgh of Edinburgh is appended in good condition.) (*M.*)

1042. 1st Jan. 1607. Extract Decree in action pursued before the Commissaries of Edinburgh by William Horsburgh in Scrogis against Thomas Hay of Scrogis for payment of certain sums of money, viz. 50 merks lent by the said William to him; 25 merks for which the said William became cautioner for the said Thomas to Mathew Hay in Peebles due to him for the board of John Hay his son; £4 : 16s. paid to Agnes Williamsoun, spouse to the said Mathew Hay, for 2 barrells ail; 40s. borrowed by said Thomas from the said William; 5 bolls victual received from John Reull in Leith at £6 per boll; 40s. borrowed from said William by said Thomas; half stane wool price 40s. delivered to said Agnes Williamsoun at command of said Thomas; 2 dozen reid bought by John Kincaid, servant to the said Thomas, price 24s.; a cow bought by Abigaill Carmichaell, spouse to the said Thomas, from said William for £24. The Lords decern defender to pay 8 merks for each of the 5 bolls

oatmeal bought from John Reull, 48s. paid to Agnes Williamson for a barrell of ail and 40s. of borrowed money, 40s. for half stane wool, 24s. for 2 dozen bread, and £17 for a cow bought from said William. Extracted by Edward Merschell, clerk of the Commissary of Edinburgh, from the Books of Causes thereof. Dated 1st January 1607. (*M.*)

Paper.

1043. 2nd Jan. 1607. Sasine following upon Precept of Clare Constat No. 1041. Sasine dated 2nd January 1607. Witnesses, Clement Adamsone in Wynden, Patrick Murray in Dunkenlaw, James Crais and James Robesone, weavers there, Robert Gairdner and Andrew Magall, servitors to William Home there, and George Todrick, fisherman there. Thomas Dunlop is notary. James Fell in Soltray barns is bailie. Registered P.R.S. Sec. Reg. at Edinburgh 31st January 1607, fol. 28. (*M.*)

1044. 8th Jan. 1607. Claim by William Hay of Linplum against Lord Zester, of the Commonty of Duncanlaw, the profits of walkmilne lying beside the Bothanis, for 9 years past and repairing the damheid thereof, which the said Lord had broken down; the price of a house in Barro Lone and yearly profit thereof since 1598; £1000 as a price of a great house in the Bothanis with the yard thereof, demolished by the said Lord, and 4 several contraventions committed at 4 times, each extending to 3000 merks, after he was charged at Linplum's instance for lawburrowis, viz. for "dinging doun of his hous in the Lon of Barro," for teiling up of his growin corne of quheit and peis in the Staneflat, for demolishing of a house and yard possessed by the late John Robesoune, and cutting and destroying Linplum's turfs and divots cast in the common mure by Robert Blaikie, his servant; also the interest of the corn sown on the lands of Walkmylne and restoration to him and his family of their Ile and burial place in Bothane Kirk from which they are debarred, with a security from Lord Zester and his Lady that they may live in peace in time coming. (*M.*)

Paper.

1045. 13th and 14th Jan. 1607. Contract between Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, Great Chancellor of Scotland and heritable bailie of the regality of Dunfermline, on the one part, and John Scott and William Penman, bailies of the Burgh of Mussilburght, George Bennett, clerk thereof, Johne Broun, Alexander Wricht, William Duncan, Thomas Wricht, Richard Scott, Walter Smart, Henrie Calderwood, John Smart, James Youngar and David Rammaghe, councillors of the said burgh, for themselves and taking burden on them for the rest of the councill and community of the said burgh, whose whole body they represent, on the other part—Whereby the said Earl gives them power and commission as bailies depute of the said Regality of Dunfermline of which the Lordship of Mussilburgh schire is a part, and they on the other part shall not pretend right to the criminal jurisdiction pertaining to them by virtue of their infeftments granted by the Abbots of Dunfermline, but shall acknowledge the only right thereof as proceeding from the said Earl. At Edinburgh and Mussilburgh 13th and 14th Jan. 1607. Witnesses, Mr. James Raith, Mr. John Drummond, William Inglis, witnesses to subscription of the said Earl, and Mr. Mungo Rig of Carberrie, George Fausyde, younger brother german to the Laird of Fausyde, John Achesoun, portioner of Inneresk, Robert Douglas, portioner there, and Mr. Patrik Henrisoun, reiddar at Mussilburgh, witnesses to subscriptions of said bailies and council of Musselburgh. (Signed.) Seals of the Burgh and of the Earl are appended in good condition. (Written by John Patersoun, servitor to Robert Kirkwod, writer.) (*M.*)

1046. Another copy of above, also signed and sealed. (*M.*)

1046A. 5th Feb. 1607. Ane Contract concerning the alienation of Milkiestoune. (*Linplum Inventary*, No. 17, 1617.) (*M*)

1047. 7th Feb. 1607. Charter by William Wallace of Johnstoun with consent of James Wallace, his son and heir apparent, to James Lord Hay of Zester of 7 merklands of Stane, lying in the regality of Athcarmure and shire of Lanark, excambed for the lands of Eddrikstoun, lying in the shire of Peebles, from the late John Lord Hay of Zester and the late Elizabeth Cuningham, his spouse; holding from the granter of the King as superior; by Annexation from Margaret Hay, eldest lawful daughter of the late William Lord Hay of Zester, as lawfully charged to enter heir to her said father to the superiority of the said lands of Stane; conform to Decree of Amission of said superiority; for yearly payment of one penny scots in name of blench ferme. (Written by Robert Pringill, servant to John Eistoun, writer in Edinburgh.) At Edinburgh 7th February 1607. Witnesses, John Wallace of Corsflat, brother of the granter, John Ur, merchant burgess of Edinburgh, and the saids John Eistoun and Robert Pringill. The seal of the granter is appended in good condition.

1047A. 7th Feb. 1607. Pringillis of Galloscheills and Whytbanks consents and licence to Pringillis of Milkiestoune to set their lands. (*Linplum Inventary*, No. 87, 1617.) (*M.*)

1047B. 11th and 19th Feb. 1607. A Contract of Alienation of the lands of Milkiestoune, Hoptoune, and Wyndilaw made between James Lord Hay of Yester and Dame Margaret Ker on the one part, and Thomas and Andro Pringles on the other part, for their lifetime and after their decease to William Hay. (*Linplum Inventary*, No. 14, 1617.) (*M.*)

1047C. 11th and 19th Feb. 1607. Procuratorie of Resignation of the said lands (Milkiestoune, Hoptoune and Wyndilaw) in the hands of the Archbishop of Glasgow be Thomas and Andro Pringles, in favour of the Lord and Lady Yesters. (*Linplum Inventary*, No. 15, 1617.) (*M.*)

1048. 12th Feb. 1607. Extract registered Contract between James Lord Hay of Yester on the one part and John Murray of Blackbaronie on the other part, whereby for 3500 merks the said Lord binds himself to obtene and get ane new intrant honest man sufficientlie qualifeit in lyfe doctrine and guid literature dewlie and lauchfully provydit to the personage and viccarage of the parochin and paroche Kirk of Ettilstane, teinds, fruits, etc. pertaining thereto, with the manse and glebe thereof, lying in the diocese of Glasgow and shire of Peebles, and that between the date hereof and 11th Nov. next—now vacant by decease of Mr. George Hay, last person and vicar thereof; and the said Lord binds himself to set tacks of the same for yearly duty of £160 scots payable to said new entrant, one of which tacks to be set to said John Murray for the lifetime of the said intrant, and the other to him for the space of 19 years beginning 3rd May 1606. Contract dated at Newbuttill 6th January 1592. Witnesses, Mr. Gideon Murray, brother german to the said John, Mr. Alexander Bannatyne, Thomas Giffard, Henry Ker, servitor to Lord Neubuttall, William Hay. agent for the said Lord Hay, and Arthur Ray, notary public. Registered at Edinburgh 12th February 1607. Extract signed John Skene, Cls. Regr. (*M.*)

Paper.

1048A. 12th and 27th May 1607. Contract between Sir George Hammiltoun, my Lo. and La.: Yesters anent the teinds of Kilpallet, the 12 and 27 May 1607. (No. 10, *Inventory of Writs to be made forthcoming by Lady Yester.*)

1049. 21st May 1607. Disposition by John Home, burgess of Edinburgh, heritor of the lands underwritten, in favour of James Lord Hay of Yester and Dame Margaret Ker, his spouse, and the survivor of them in conjunct fee and to the heirs lawfully gotten or to be gotten betwixt them, which failing to the nearest and lawful heirs of the said Lord or his assignees whatsoever, of that tempill land with houses, yard and pertinents, which pertained to Patrick Home, the granter's father, or his predecessors, lying in the town and territory of Duncanlaw, sheriffdom of Edinburgh and constabulary of Haddington, to be held of James Sandelands of Calder, Lord of Torphichen, superior thereof, for yearly payment of six pennies scots, with services in his courts, etc., containing Procuratory of Resignation by the granter for resigning the said lands in the superior's hands for new infeftment thereof to be given to the said Lord Yester, his spouse and heirs foresaid. At Haddington 21st May 1607. Witnesses, John Hog, baxter, Robert Young, fleschour burgess of Haddington, Robert Boyd in Gammelstoun, James Gray, notary public, common clerk of Haddington, and John Wilkie, notary public. (*M.*)

Signed. Paper.

1049A. 27th May 1607. Thomas Pringillis Discharge grauntit be Blakbaronie of ane annualrent of Milkiestoune. (*Linplum Inventary*, No. 23, 1617.) (*M.*)

1050. 5th Sept. 1607. Sasine on Charter No. 1038. Sasine dated 5th September 1607. Witnesses, John Tyrie of Brigend at Perth, Andrew Smyth, portioner of North Foid, William Porteous, servitor to Mr. James Raith, and Robert Clerk, servitor to Robert Mersour of Craigis, who is bailie. James Kingorne is notary. Registered at Craill 10th September 1607. (P.R.S. Fife Sec. Reg. X. 114.) (*M.*)

1051. 9 Nov. 1607. Sasine proceeding upon Charter No. 1012, with liberty of pasturage in the common muirs of Barro and Duncanlaw, with pasturage of 18 (suminacum) farrowed animals and one "stud meir" with followers, one brood sow with her followers, two brood geese with their followers, with free ish and entry to the Commonty foresaid by the bounds following, viz.:—beginning at the Muircleugh and proceeding near the east end of Barro myre and ascending by Murecleuch to Windiraw and westward towards Windirawdyk and descending the Grenecleuch to Crummisydmyre, then passing eastward on the east part of Blakknowis "at the fute of Windirawdyk" and descending westward from Crummisydmyre to the "paper know" and from thence to Zallowpete from thence towards that part called Hellis hoill and ascending to Weldencleuch and thence to Chromwell and Craigfurde westward towards Suonedonmyre lying by the Crofts of Duncanlaw and thence to the Lidgait towards Fleschfurde doun Welburne to Duncanis boge and Gumshauche to the Nether Mure of Duncanlaw Bowbriggis of Bothanis to "lie Quhittehauche" and Sandifurde and eastward to the common meadow "prerious land" to Wyndenmyre and ascending Wyndencleuch to the Crofts of Duncanlaw, and from the common meadow eastward to the Skramure and Barro Kirkstyle and eastward from Barro to "lie Braidschot" within the constabulary of Haddington and shire of Edinburgh. Sasine dated 9th November 1607. Witnesses, John Cokburn, brother of Mr. Robert Cokburn, advocate, William Smythe in Barro, William Harlaw, and Robert Keatis there. Thomas Dunlop is notary. Registered at Edinburgh 18th November 1607. (P.R.S. Edinburgh Sec. Reg., fol. 186.) (*M.*)

1052. c. 1607. Assignation by William Horsburgh, brother german to Alexander Horsburgh, elder of that Ilk, in favour of the said Alexander Horsburgh of 400 merks with annualrent of 40 merks contained in Bond by Thomas Hay of Scroggis and Abigall Carmichaell, his spouse, to the said William

Horsburgh, dated 26th June 1606 and registered 6th June 1607, and of 300 merks contained in another Bond by them to him dated at Peebles 30th April 1606 and registered 6th June 1607, and Decreet obtained by said William against said Thomas Hay before the Commissaries of Edinburgh 1st January 1607 for payment of 8 merks per boll for 5 bolls oatmeal. Date and testing clause not completed. Signed by William Horsburgh. Robert Horsburgh, witness. James Kessane, witness. (*M.*)

Paper.

1053. 8th Jan. 1608. Discharge by Master Adam Newtoun, preceptor to the prince of Great Britain, to James Lord Hay of Yester of 100 pounds scots in satisfaction of all debts due by the late William Lord Hay of Yester, his father, or the late William Lord Hay of Yester, his brother, to the late Adam Newtoun, father of the granter. (Written by Mr. George Butlar, servitor to the said Lord.) At Whytehall 8th January 1608. Witnesses, Henry Gib, servitor to the Prince his Highness, and Mr. Alexander Haitly. David Cuninghame also signs as a witnes. (*M.*)

Signed. Paper.

1054. 10th Jan. 1608. Tack by Mr. Walter Hay, provest of the College Kirk of Bothanis, with consent of John Lord Hay of Yester, patron of the said provestry, in favour of Alexander Patersoun, servitor to Mr. John Hay, Clerk Depute of Edinburgh, of the teind sheaves and other teinds great and small of the lands and barony of Yester, comprehending the town and lands of Bothanis, Gamelstoun, with the pertinents of Reidshill and Miskowye, lands and mains of Heiddinhill, the towne of Yester, the park of Yester, with pertinents called the lands of Mwirburne; the lands and barony of Newtoun, comprehending the mains and town of Newtoun, town lands and mains of Kidlaw, Akiesyd and Belsibus, Lidhousis, with pertinents, viz.:—lands of Skaitlisbus and Munkland of Yester, the barony of Newhall, comprehending the mains and mill lands of Newhall, Woodheid, Woodfoote, Brangrub, Caldscheild *alias* Hammercross, lands of Howdane, with pertinents, lying in the parish of Bothanis, sheriffdom of Edinburgh and constabulary of Haddington, as also the granter's dwelling-house of Bothanis Clois, stabillis, office-housis, etc., pertaining to him as prebendar of the prebendary callit the Rud Altar situated within the Parish Kirk of Bothanis, and also his —— aikeris of land lying within and being part of the Kirklands of Bothanis excepted furth of the feu made to him by James Lord Hay of Yester, Dame Margaret Ker, (his) spouse, and William Hay, their ——, lying on the south to the Strait and way passand fra the Bothanis to Edinburgh, upon the west to the burne callit the Provestis burne, and upon the north and east parts to the said Kirkland respectively, and that for the space of the said Alexander's lifetime, and after his decease to his heirs for the terms therein specified. Paying yearly for the said teinds 200 merks and for the said house, forty shillings. (Written by John Rois, notar public, servitor to Mr. John Peape, writer in Edinburgh.) At London 10th Jan. 1608. Witnesses, Mr. Robert Johnston, advocate, Thomas Dalzell, gentleman, Richert Hodskingis of London and Hew Rois, Scottsman. Endorsed is a Ratification of above Tack by Mr. George Butlar, provest of Bothans. Dated at Edinburgh 6th July 1618. Witnesses, William Cunninghame, servitor to Sir Andrew Ker of Oxname, and William Buchanan, servitor to John Belscheills, advocate, (*M.*)

Signed. (Tag, no seal.)

1055. 10th Jan. 1608. Another Copy on paper of the foregoing Tack, with similar endorsation.

1056. 12th Jan. 1608. Assignation by Mr. Walter Hay, provost of Bothanis, to Mr. John Hay, clerk depute, of the burgh of Edinburgh, of a letter

of tollerance and factory by said Mr. Walter to Rychard Cranstoun of Skedisbus to uplift the teind sheaves of the lands and rooms of Skedisbus and the lands then occupied by John Staig, his tenant, for the period of the granter's lifetime, for payment of the usual maill of £4, dated at Skedisbus 17th September 1591. (Written by Andro Hay, servitor to James Kynneir, writer.) At London 12th January 1608. Witnesses, Edwart Johnstoun, burgess of Edinburgh, Mr. Robert Johnstoun, advocate, Hew Ros, fiar of Ballamuky. (*M.*)

Signed. Paper.

1057. 16th Jan. 1608. Procuratory of Resignation by Master Walter Hay, provest of the College Kirk of Bothanis, for resigning the said provestry, altarage and prebendary of the Rude Altar in the office thereof, in the hands of James Lord Hay of Yester, patron thereof. At Londoun 16th January 1608. Witnesses, Mr. Robert Johnsoune, Thomas Dyell (Dalyell), Richard Hodskingis of Londoun and Hew Ross, scottisman. (*M.*)

Signed. Seal of granter, impression complete.

1058. 10th Feb. 1608. Assignation by Mr. John Hereis, son of John Hereis, minister at the Kirk of Newbottill and prebendary of the Ile or Altar called —— sometime founded and situated in the College Kirk of Bothanis, commonly called the prebendary of Kirkbank, to William Hay, second son of James Lord Hay of Yester, of the sum of £32 : 10 : 4 for the feuduties yearly of the lands of Kirkbank, Myln and Myll lands thereof, lands of Walden, 3 husband lands and 6 Coitlands lying in the town of Dunkenlaw now pertaining in feuferm to said Lord Hay and Dame Margaret Ker, his spouse ; holding of the granter and his predecessors for the said yearly sum. (Written by James Gray, notary public in Haddington.) At the Bothanis 10th February 1608. Witnesses, Mr. George Butler, servitor to the said Lord Hay, and said James Gray. (*M.*)

Signed. Paper.

1058A. 25th Feb. 1608. Ane Charter of Milkiestoune, granted be the Archbishop of Glasgow to James Lord Hay of Yester and Dame Margaret Ker, his spouse, William Hay, their son. (*Linplum Inventary*, No 16, 1617.) (*M.*)

1058B. 25th Feb. 1608. Ane Instrument of Resignation of the lands of Milkiestoun, Hoptoun and Windilaws in the hands of the Archbishop of Glasgow for infeftment, to James Lord Hay of Yester and Dame Margaret Ker and William Hay, her son, under the note of John Thomsone. (*Linplum Inventary*, No. 88, 1617.) (*M.*)

1059. 22 March 1608. Letter of Gift by James Lord Hay of Yester to John Hereis, son of John Hereis, minister at the Kirk of Newbotle, during his lifetime of the prebendary called Kirkbank, or prebendary of the altar or Ile called —— sometime founded and situated in the College Kirk of Bothanis, which was vacant and at the disposition of the granter as patron, by the decease of Daniell Hay, last prebendar thereof ; containing Procuratory for infefting him therein. At Bothanis and —— the 22nd March 1608. Witnesses, Andro Ker, son to Thomas Ker of Cavers, James Hay in Bothanis and John Ker, servitor to the granter. (Seal of granter, complete.) Endorsed is Instrument of Sasine proceeding upon said Gift by John Robertsoun, gardener in Bothanis, as commissioner for the said Lord Hay. Dated at the College Kirk of Bothanis 22nd March 1608. James Gray is notary. (*M.*)

1059A. 31st March 1608. Extract Retour of Patrick Cranstoun of Corsbie as heir to Thomas Cranstoun, his father, in the lands and barony of

Baune, dated 31st March 1608. Subscribed by Mr. Robert Scott, depute to Mr. William Scott of Ely, Director of Chancery. (*Inventory of Writs of Baune*, No. 2.) (*M.*)

1059B. 12th Apr. 1608. Ane Letter of Tack "Osuall Dave" of the lands of Wynden and Cruikis, be Mr. James Hay of Renneis and William Hay of Linplum. (*Linplum Inventary*, No. 64, 1617.) (*M.*)

1060. 15th April 1608. Extract Registered Renunciation by James Cranstoun, servitor to His Majesty, and Marjorie Todhunter, his spouse, in favour of James Lord Hay of Yester and Dame Margaret Ker, his spouse, of an annualrent of 200 pounds furth of the lands of Yester, Belten and Bothanis, on redemption of the same by payment of 2000 pounds scots; conform to Contract dated at Newbotle and Prestoungrange 6th January 1592 between James Lord Hay of Yester and Dame Margaret Ker, his spouse, as principal, and Sir John Murray of Eddilstoun, Knight, then designed John Murray of Blackbarony, as cautioner, on the one part, and the saids James Cranstoun and his spouse on the other part, and registered in the Books of Council 14th March 1593, and Charter following thereon (No. 910) containing Precept of Sasine, of same date with the Contract and Sasine given conform thereto on 8th March 1592. Under the sign and subscription of Mr. Alexander Kellie, notary public. Renunciation dated at Edinburgh 15th April 1608 and recorded 2nd May 1608. Witnesses, Mr. George Butler, servitor to said Lord Hay, Arthour Ray, writer in Edinburgh, Robert Pringill, servitor to John Eiston, writer in Edinburgh. (Signed by John Skene, Clerk Register.) (*M.*)

Paper.

1060A. 16th April 1608. Judicial Transumpt of Instrument of Sasine following on Precept from Chancery in favour of Patrick Cranstoun, as heir to his father, in the lands and barony of Baune. Dated 16th April 1608. Alexander Cook notary. Registered 1st June 1608 in the Sheriff Court Books of Berwick and transumed on 15th November 1632 under subscription of Sir Alexander Gibson of Durie, Clerk Register. (*Inventory of Baune Writs*, No. 3.) (*M.*)

1060B. 21st May 1608. Archibald Adiesoune and his wyffis renunciation of Wynden. (*Linplum Inventary*, No. 63, 1617.) (*M.*)

1061. 9th June 1608. Precept of Clare Constat by James Makgill of Pinkye in favour of James Inglis as nearest and lawful heir of the late James Inglis, merchant burgess of Edinburgh, his grandfather, in an annualrent of 100 pounds out of the lands of Pinkye and Carse, lying in the lordship and regality of Mussilburgh and shire of Edinburgh, conform to Alienation No. 878, and in another annualrent of 100 pounds out of the lands of Pinkye as principal, and the lands of Rankelour Nether as warrandice, conform to Alienation No. 927, and that James Inglis (the granter) was only son of Archibald Inglis, who was eldest son of the said late James Inglis. (Written by David Logane, servitor to Mr. William Kellie, W.S.) At Edinburgh 9th June 1608. Witnesses, Hew Makgill, prebendary of Corstorphine, Arthur Clepan, servitor to the granter, the saids Mr. William Kellie and David Logan and James Tait, his servitors, and Mr. Robert Scott, Director of Chancery. *On back.—This satisfeitt and dischargitt 19th November* 1611. (*M.*)

Document slashed to denote cancellation.

1062. 4th Aug. 1608. Instrument of Sasine in favour of Robert Douglas, tailor, as lawful and nearest heir of the late Mr. John Douglas in Innerask, his brother german, of that rig of arable land of the said Mr. John, lying in

the liberty of the said burgh at the east end of the town of Innerask, between the mansion and yard of Hugh Broun on the east, the highway on the south and the croft of land of the Laird of Cragmillar on the west and north; and also of an annualrent of £4 out of the tenement sometime of John Tempill now of David Symsoun in the town of Newbigging between the land of the late George Andersoun and now of John Andersoun on the north, the common vennell on the south, and the common passage leading to the said burgh on the east, and the High Street on the west. Done on the ground of said lands between 8 and 9 a.m. 4th August 1608. Witnesses, Mr. Patrick Henrisoune, reader of the said burgh, George Newtoun, elder, James Bennett, John Mathesoun, Thomas Craig, indwellers in the town of Newbigging, John Paterson, notary, and David Hill, officer of the said burgh. George Bennet, notary public a.r. (Registered 6th August 1608. *P.R.S. Edinburgh Sec. Reg.*, *fol.* 219.) (*M.*)

1063. 6th Sept. 1608. Extract Registered Contract between Sir John Home of North Berwick, Knight, brother's son and heir of tailzie and provision to the late Alexander Home of North Berwick, on the one part, and Alexander Home, eldest lawful son of the late Mr. Adame Home, person of Polwart, likewise brother's son to the said deceased Alexander Home and nearest and lawful heir of line duly served and retoured to him, on the other part, narrating Assignation by the said late Alexander to the said Alexander Home, his brother's son, of a tack granted to the said deceased Alexander by the late Dame Margaret Home, prioress of North Berwick and convent thereof, of the teind sheaves of the lands of Balgone in the parish of North Berwick, for the space of 19 years for the yearly duty of 37 pounds, six shillings eight pennies, of date 22nd March 1596, and another tack by the said prioress and convent to the said deceased Alexander during his lifetime and after his death to his heirs and assignees for the space of 19 years, of the said teind sheaves, paying the same tack duty, of date 31st July 1596. Also the Testament and Latter Will of the said late Alexander Home of date 22nd July 1597 constituting the said Alexander, his nephew, his assignee in and to the foresaid tacks, and that the said Alexander is now duly served and retoured as heir of line to his said deceased uncle; and so having right to the said tacks and teind sheaves he granted special translation and Disposition of date 22nd October 1604 to the said Sir John Home of the foresaid assignations of the tacks above mentioned. And considering that the said deceased Alexander Home had a special tack granted to him during his lifetime and after his decease to his nearest and lawful heirs, for the space of 19 years thereafter and at the expiry of that time for a further space of 19 years, of the said teind sheaves, of date 14th July 1585; and that the said lands of Balgone pertain heritably to Mr. George Lauder of Bas, who has been and is subtaksman to the said Sir John for yearly payment of four chalders eight boils victuall; and the said Alexander being willing that the foresaid tacks shall be transferred to the said Sir John, and the said Sir John desiring that the said Alexander shall be assured of the said victual, therefore the said Alexander has of new assigned to the said Sir John the foresaid assignations made to him by his said uncle of the foresaid tacks; and on the other part the said Sir John has disponed to the said Alexander the said victual due by the Laird of Bas. And because the said Mr. George Lauder had a 19 years' tack of the said teind sheaves of which there are 15 years still to run, and the said Sir John being desirous that the said Alexander shall not be prejudged in the gressums that may be had for new tacks to be made by the said Mr. George after the ish of the said 19 years, therefore the said Sir John binds himself to pay to the said Alexander the sum of 2000 merks within two years after the expiry of the said tack. At North Berwick 6th September 1608. Witnesses, Richard Adinstoune, fiar of that Ilk, Patrick Home, brother to the said Alexander, Edward Wood, gairner to the said Sir John, and Andro Clerk, citiner of Sant Andros. Registered at Edinburgh 28th June 1614. (*M.*)

Paper.

1064. 27th Oct. 1608. Assignation by Mr. John Hay, clerk depute of the burgh of Edinburgh, to Mr. George Butlar of the sum of £4 contained in Letter of Tollerance and Factory by Mr. Walter Hay, provost of Bothans, to Richard Cranstoun of Skedisbus for uplifting the teind sheaves, dated 17th September 1591, and assigned by said Mr. Walter to said Mr. John on 12th January 1608 (No. 1056). (Written by John Ros, servitor to Mr. John Paip, writer in Edinburgh.) At Edinburgh 27th October 1608. Witnesses, Mr. Alexander Guthrie, common clerk of the said burgh, John Peter and James Lennox, his servitors. (*M.*)

Signed. Paper.

1064A. 18th Nov 1608. Alexander Earl of Dunfermline's assignation to William Hay of the sum of £5000. (*Linplum Inventary*, No. 11, 1617.) (*M.*)

1065. 1st Feb. 1609. Letter of Gift by James Lord Hay of Zester, patron of the Provostry of the College Kirk of Bothanes, to Mr. George Butler constituting him Provost of the said College Kirk during his lifetime, with all fruits, rents, etc. thereof, now vacant by decease of Mr. Walter Hay, last Provost thereof, and constituting John Hereis pedagog to John Master of Zester, his son, as bailie, to give collation and possession to the said Mr. George by delivery to him of the key of the kirk door of the said College Kirk. (Written by John Ross, notar in Edinburgh.) Dated at the Bothanes 1st February 1609. Witnesses, James Hay, Williame Ewing, servitors to the granter, and James Gray, notar public in Hadingtoun. (*M.*)

Signed. Seal of granter defaced.

1066. 2nd Feb. 1609. (1) Copy instrument taken on execution of foregoing Letter of Gift, done at the College Kirk of Bothanis 2nd February 1609, about the hour of 9 a.m. Witnesses, William Geddes in Duncanlaw, John Robesoun, gardiner in Bothans, James Craige in ——, and William Cunynghame, servitor to the Lord Hay of Yester.

(2) Copy Assignation by James Forrest to Mychaell Forrest, his brother german, of a reversion made to him by David Forrest elder, for redemption from said David of his manse and yard called the Viccars yard of Manse of Hadingtoun, containing the sum of £10 as the redemption price. Done in the burgh of Hadington about the hour of 6 p.m. Witnesses, John Andersoune and Stephen Brucht. J. Stevin notary public. Dated 16th February 1575.

(3) Copy Instrument that William Brown, bailie, cognosced by Clare Constat on inquest before the said bailie in the Tolbooth of the burgh of Hadingtoun on 25th October 1576, David Forrest elder, in and to a tenement of land under and above lying on the north side of the Croce gait betwixt the lands of David Forrest younger in the east, and the heirs of umquhile William Cambell on the west, and common Vennell on the north, as nearest and lawful heir general of the late David Forrest, his father, and gave him sasine thereof. Done on the ground of the said tenement between the hours of 7 and 8 a.m. Witnesses, John Seytoun, Peter Campbell and Thomas Patersone, seriand. J. Steven, notary public. 19th September 1576.

(4) Copy Instrument that David Forrest elder resigned an annualrent of £6 scots out of the said tenement of land in favour of Robert Danielstoun, burgess of Edinburgh, for Sasine to be given to him thereof, and that the said Robert binds himself to give reversion of said annualrent to said David, to be redeemed for £56 in the parish Kirk of Hadingtoun. Done about the hour of 8 a.m. Witnesses, *ut supra*. J. Stevin notary public.

(5) 23rd Nov. 1561. Copy Instrument that David Forrest elder resigned in the hand of William Broun, bailie, the tenement of land mentioned in No. 3 in favour of William Lord Hay of Zester for Sasine to be given to him thereof, and

which Sasine the said bailie gave to William Hamniltoun, attorney for the said Lord Hay, and thereafter the said David Forrest passed to the manse and yard called the Viccaris manse and yaird, and gave Sasine of the same to the said attorney in warrandice of the said tenement, reserving to Sir John Anderson his liferent of a house or chalmer biggit by the said Sir John, now occupied by him, standing at the north-west end of the said yard, during his lifetime. Done on the ground of said tenement about the hour of 9 a.m. Witnesses, Robert Cokburne, John Masoun, David Howesoun, Andrew Quhyt, servand, Alexander Symsoun and William Broun, bailie. J. Stevin notary public. (*M.*)

Paper.

1067. 3rd Feb. 1609. Sasine on Charter by John Hay of Smeithfeild in favour of James Lord Hay of Yester and Dame Margaret Ker his spouse and the survivor of them in conjunct fee and the heirs-male lawfully procreated or to be procreated between them, which failing to the heirs-male and of tailzie of the said Lord Hay, whatsoever, of the two part of the fourth part of the town and lands of Park called Park of Yester, sometime occupied by the late William Nicolsoun and Issobell Diksoun his spouse, lying in the barony of Yester and constabulary of Haddington, with a husband land lying in the town of Yester and sometime occupied by the said William Nicolsoun. At Bothans 12th December 1606. Witnesses, Alexander Hay, son and heir apparent of the granter, William Cokburne, apparent of Newhall, Mr. George Butler, servitor to the said Lord of Yester, James Gray, notary public and common clerk of the burgh and constabulary of Haddington, and Thomas Dunlop, notary public in Stanypeth. Sasine dated 3rd February 1609. Witnesses, William Home in Newlandis, Andrew Home, his son, James Sawers in Park and William Blaikie, fuller in Bothanis, at the said lands of Park ; and Robert Ker in Yester, Thomas Diksoun there, John Carfrae there and Thomas Steill there, at the said husband land in Yester. Clement Elpheinstoun, son of Cuthbert Elpheinstoun of Henderstoun, is bailie, and John Hay, indweller in the town of Yester, is attorney for the said Lord Hay. James Gray is notary. (*M.*)

1068. 13th May 1609. Sasine on Charter by Anne, Queen of Great Britain, etc., No. 989. Sasine dated 13th May 1609. Witnesses, Mr. Adam Coult, minister at the Kirk of Innerask, William Penman, another of the bailies of Mussilburgh, Richard Scott, burgess there, David Hill, officer of the said burgh, Robert Pringill, servitor to the said George Hay, baillie, and John Paterson, notary, servitor to George Bennett, clerk of the said burgh and lordship of Mussilburgh, who is notary. Arthur Clephan, servant to the said James Makgill, is attorney for him and his wife. (*M.*)

1069. 7th Aug. 1609. Disposition by James Crichtoun of Bruntstoun and Thomas Crichtoun, his eldest lawful son and apparent heir, to James M'Gill, now of Nether Rankelour, of all right, title, interest, claim of right, kindness and possession which they had to the half of the teinds of all fishings and fishes within the lordship and shire of Mussilburghshire, as well of salmon as other fishes "callit rid and quhyte fisches," and in token thereof have delivered to the said James M'Gill a Letter of Tak set by the late Mr. James M'Gill, his father, to the late John Crichtoun of Brunstoun, father of the granter, of the same. (Written by John Robene, servitor to Mr. David Muirheid, writer.) Dated at Mussilburgh 7th August 1609. Witnesses, James Lausoun, younger son to James Lausoun, portioner of Eister Dudingstoun, George Bennett, clerk of Mussilburght, William Wricht there, William Duncane there, and John Patersoun notary. (*M.*)

Signed. Paper.

1070. 18th Dec. 1609. Disposition by John Broun, lawful son of the late Patrick Broun of Colstoun, in favour of George Broun, now of Colstoun, his brother german, of his tempil land disponed to him by his said father, lying in the town

and territory of Duncanlaw, shire of Edinburgh and constabulary of Haddington, conform to infeftment granted to his said deceased father by James Tennand of Linhous and Mr. Robert Williamson of Mureistoun, Commissioners to James Sandelandis of Calder, Lord Torphichen superior thereof. Containing Procuratory of Resignation directed to Richard Broun, burgess of Haddington, for resigning the same in the hands of the said superior for new infeftment thereof to be given to the said George Broun. At Coilstoun 18th December 1609. Witnesses, Patrik Carkettill of Over Libertoun, John Bog, eldest lawful son and apparent heir of Robert Bog of Locheend, and John Robesoun, servitor to "the said Patrik Broun my brother." Written by Mr. James Gray, son to James Gray, common clerk of Haddington. (*M.*)

Signed. Tag.

1071. 1609–11. Extract of Accounts due by Lord Yester to Thomas Ross for wearing apparell to himself and family, from February 1609 to —— 1611, also of Accounts of George Osteane due by Lady Yester, 29th February 1609–October 1611, for wearing apparell furnished to Lord Yester and his brother, etc. (*M.*)

Paper.

1072. 1609-14. Note of Silver duty of the Wairdelands pertaining to the Wardatour between the years 1609 and 1614. These include lands of Westwood, Currie, Aflechill, Wester Hoprew and Terfmidow, Haggen Hamiltone and Glenrusco, Cokeland on Tueid, Town, Mains and walkmill of Lyne, East and West side of Harstanes, Thalicke, Meggat and Snaid, Gamelston and Reiddishill, Yester, Sheriffsyd, Dunkenlaw, Loquharrat, Eddistoun and Easter Hoprew. Also note of rent of blench and feu lands of Flures, Edderstoun, Jedwardfield, Athcarmure, Polgavie, Athmure, house in Haddingtoun, Blanse and Rodono. (*M.*)

Paper.

1073. 1609-16. Rentall of the haill waird lands of the Lordship of Yester according as they paid in 1609, over and above the barony of Beltane, the lands of Kilpallet and Bentidot, belonging to my Lord in conjunct fee as follows :—

The barony of Yester.
The barony of Duncanlaw.
Loquharret.
The barony of Lyne.
Edstoun.
The barony of Olifercastell.
My Lord's quarter of Polgavie.
Snaid extending to £12,359 : 6 : 8
The Rentall of Linplum and Wynden intromitted with by my Lady extends to £2000
The lands of Barro, Blans, Giffortgaitt of the Westside of Midletoun, Kingldoris, Kingldorhopis, Olipher, Craigkingldoris, Frwde, Glencotho, are referred to my Lady's declaration.

In 1610 the rentall is - - -	£12,249	12	8
1611 - - - - -	19,749	16	8
1612 - - - - -	14,852	3	4
1613 - - - - -	15,310	9	5
1614 - - - - -	13,940	12	9
1615 - - - - -	14,182	4	9
1616 - - - - -	14,759	19	5

To which is to be added £2000 yearly for Linplum and Wynden.

Making in all - - - - -	£1,290,404	5	8

Paper. (*M.*)

1074. 1609-1616. Minute of the Rent of the lands and teinds wherein my Lady Yester has gotten titill over and above her provision by Contract of Marriage, partly from her husband during his lifetime and partly from them whose names were borrowed to the behove of the hous since her husband's deceis, including Park, Heiddinghill, Milne of Yester, prebendary of Kirkbank, Walden, Fyldersland, Downisland set to Bessie Home in liferent, 2 coitlands occupied by James Kempe officer, a coitland occupied by Beigis Munteith, a coatland occupied by John Miller, a coatland occupied by Dewer, and a Coitland occupied by Andro Cresis, etc. (*M.*)

1075. 1609-1618. Bundle of papers containing as follows:—

(*a*) 1618. Claim by John Lord Hay of Yester given in to Andro Ker of Fentoun in the questions with my Lord his mother, whereof the said Andro is only judge arbitratour and amicable compositer. Also my Lord Yester's grieves anent the Decreit Arbitrall which are craved to be helped by a Contract.

(*b*) *C.* 1618. Claim of John Lord Hay of Yester to be given in to Thomas, Lord Bynning, onlie judge arbitratour electit in the materis controvertit betuixe Dame Margaret Ker, Lady Yester, Sir Andro Ker of Oxnam, Knight, her spous, on the ane pairt, and the said Lord Yester on the other, claiming delivery of writs of the Lordship of Yester, some of which had been detained by Dame Marye Maxwell, Lady Yester, relict of the last William Lord Hay of Yester, which after her death fell into the hands of the Laird of Lamyngtoune her brother, who on being pursued for them delivered the same to the said Dame Margaret Ker.

(*c*) 23rd and 27th Jan., 2nd Feb. 1618. The claims of Dame Margaret Ker, Lady Yester, and Sir Andro Ker of Oxname, Knight, made and given in be them against John Lord Hay of Yester, before Thomas Lord Binning our Souerane Lord's secretare, conform to the Submission made to his Lordship thereanent, anent her possession of certain lands, titles, etc., with Notes thereon, 23 and 27 January and 2 February 1618, and Answers thereto, with replies, duplies and triplies. (Seven papers.)

(*d*) Minute for instructing the sum mentioned in the 7th Article of my Lord's claim which ought to be deduced of the sums whereof allowance is taken in the discharge of my Lady's intromissions with my Lord's rents in the years 1609-1616 for the reasons therein contained.

(*e*) Scroll for making my Lord's claim before Andro Kerr.

(*f*) Minute of my Lord's tua part of the lands wherein my Lady hes a third according to my Lady's own designation.

(*g*) Information for my Lord's advocate anent the good offices done by my Lady to the House of Yester.

(*h*) Minute of my Lady's rent out of the Parke Hedinghill, Overmill, prebendarie of Kirkbank haill teinds and thirds.

(*i*) Minute of the lands and teinds possessed be my Lady, by and attour Beltane, which aucht to belong to my Lord.

(*j*) 1618. Minute of the fermes and teinds intromitted with be Sir Andro Ker of the crope 1618.

(*k*) Deduction of the Estate of the questions betwene my Lord and his mother in December 1618.

(*l*) Copy of the first Minute of the questions between my Lord and his mother given to Andro Ker.

(*m*) Two copies of Minute of the sums of money contained in the discharge of Lady Yester's compt of intromission with the Estate belonging to my Lord her son, whereof my Lord craves to be warrantit from the payment of ather be

the parties acquittances, or by my Lady's band of warrandice in respect there is allowance taken of the same in the accompts above designed.

(*n*) Minute of the most important questions betwene my Lord and my Lady his mother quhat freinds hes already setled, quhat are yet depending, and considerations to be weighed in the setling of the samen.

(*o*) And information of the occasion of all the questions that stands yet unreconciled betwene my Lord and his mother, of my Lord's cariage since the beginning thereof, quhairby it shall appear that no man, but such as is not acquented with the grounds of ther debates, and my Lord's cariage, can accuse him of any undewtifulnes, whose sentence (as of ignorant judges) aucht not to be respected.

(*p*) Reply for my Lord Yester to the Answers made in name of my Lady his mother and her spouse to the additions made by my Lord to her charge of intromissioun with his Estait since the death of his umquhill father.

(*q*) Note of Additions to the sums contained in the charge produced by my Lady of her 8 years' intromissions with the rents of the Estate.

(*r*) Information anent the grounds and occasions of the questions betwein my Lord Yester and his mother, Andro Ker's proceiding and considerations in decyding the samen and the Estait of the actions depending anent his Decreet Arbitral.

(*s*) Answer to the note given by Sir Andro Ker tuiching my Lady Yester's intromission with the thirds and teinds of 1616 and sensyne.

(*t*) Just account of the debt due by my Lady Yester to my Lord of her intromissions with his rent in 1609-1613.

(*u*) Minute of the number of bolls of the ferme and teind intromitted with by my Lady Yester and her spouse of the crop 1618.

(*v*) Conference of my Lady Yester's receipts according to her self designes my Lord's rents with his Lordship's charges during the Warde.

(*w*) Charge of my Lord Yester's portion of his leving as it is designed in the accompts of my Lady his mother of her intromission with my Lord's Estate 1609-13, charges of my Lord's travells 1611-15, and sums disbursed for my Lord in 1617. (*M.*)

1076. 12th Jan. 1610. Precept from Chancery under Testimonial of the Great Seal directed to David Bryssoun, Alexander Douglas, James Chalmer and Mr. William Stewart, four of the ordinary macers, for serving John Lord Hay of Zester as nearest and lawful heir to the late James Lord Hay of Zester his father in all lands and annualrents in which his said father died vested and seized, and Dame Margaret Ker Lady Zester, relict of the said James Lord Hay of Zester, for a reasonable terce out of said lands, etc., and Margaret, Elizabeth, Christina, Agnes, Jean and Grissell Hays as lawful and nearest heirs of line to the late William Lord Hay of Zester their father, William Lord Hay of Zester their grandfather, John Lord Hay of Zester their great-grandfather, and others their predecessors in divers lands and annualrents of which the principal lie in the shire of Edinburgh, others in the constabulary of Hadingtoun, and others within the shires of Dumfries, Lanark, Peebles, Selkirk, Roxburgh, Forfar, Perth, Ayr, Wigtoun, Stirling and Berwick, and others in the regalities of Aberbrothok, Kirremuir and Melrose. James Twedy, apparent of Drummelzear, husband to the said Elizabeth, Archibald Newtoun of that Ilk, husband to the said Christina, Alexander Horsburgh, apparent of that Ilk, husband to the said ——, George Ker of Faldounsyde and Sir Alexander Hammiltoun of Fentoun, Knight, curators to the said Jean and Grissell, are called for their interests. Dated at Edinburgh 12th January 1610. Quarter seal appended. On 19th January 1610 the four macers compeared and gave their oaths.

Endorsed.—At Edinburgh 19th January 1610. Instrument in the hands of John Hay, notary, that the said four macers made faith that they would

minister justice to the parties anent the service of brieves. Witnesses, Mr. Robert Williamsoun, Gilbert Robertson, Alexander Mowat and Arthur Raewendis. (*M.*)

1077. 24th Jan. 1610. Letter of Redemption by William Home in Newlandis in favour of John Home, burgess of Edinburgh, son and heir apparent of Patrick Home, litster burgess of Haddingtoun, sone and heir of the late William Home in Haddington, he having paid forty pounds scots as the redemption price of a tempill land lying in the town and territory of Duncanlaw on the south side thereof and sometime occupied by William Fylder, in the sheriffdom of Edinburgh and constabulary of Haddington, with a letter of tack thereof for five years for the yearly duty of four merks, wadset to the granter by the said deceased William Home; and the said John having his father's right of reversion disponed to him on 1st June 1601. And that notwithstanding that the said tempill land is sold by the said John to Dame Margaret Ker, Lady Yester, and the late James Lord Hay of Yester, her spouse, he grants the said Reversion fulfilled by the said John. (Written by James Gray, notary public and common clerk of Haddington.) At the Bothanis 24th January 1610. Witnesses, William Cokburne, apparent of Newhall, John Home, sone of the granter, Mr. George Butler and William Lauder, servitors to the said Lady Yester. (*M.*)

The granter signs by the notary, attested by Alexander Dickesone, co-notary.

1077A. 8th Feb. 1610. The Lady Yester's instrument of possession of the half lands of Milkiestoune and Hoptoune, granted by Agnes Taitt in favour of the Lady Yester under the note of John Tueidy, notary. (*Linplum Inventary*, No. 24, 1617.) (*M.*)

1078. 22nd Feb. 1610. Letters of Dispensation given under the Signet directed to David Brysoun, Alexander Douglas, James Chalmers and Mr. William Stewart, macers of the Council and Session, dispensing with John Lord Hay of Zester, son and heir of the late James Lord Hay of Zester his father, upon his minority, to the effect that he may be entered by brieves of inquest of our chapel to all lands, heritages, etc., which pertain to him as heir to his said father, providing that his said entry be not prejudicial to the persons to whom the King had disponed the ward thereof, anent the maills, fermes, profits and duties of the same, until his lawful age of 21 years. At Edinburgh 22nd February 1610.

Signet has been impressed, but now nearly all gone. Signed Al. Cancells Eglentoun, Sanct Androis Glasgow. Lothiane.

Endorsed.—At Edinburgh 22 February 1610. "Red past and allowit in counsell." (Sgd.) Ja. Prymrois. (*M.*)

Paper.

1079. 28th Feb. 1610. Extract Act of Curatory by the Lords of Council giving to John Lord Hay of Yester the following persons to be his curators viz.:—Sir James Hay of Kingask, Knight, Comptroller to H.M. Sir Patrick Hepburne of Wauchtoun, Knight, Robert Swentoun of that Ilk, Sir William Seytoun of Kylismure, Knight, and Andro Ker of Fentoun, or any 3 of them—following upon letters of Charge raised by him against John Hay of Smithfeild and George Hay of Monkton, nearest agnates to him on the father's side, and Robert Earl of Lothian and Andro Ker of Fentoun, nearest agnates to him on the mother's side. At Edinburgh last day of February 1610. Signed John Skene, Cl. Regr., etc. (*M.*)

Paper.

1080. 2nd March 1610. Claim by John Lord Hay of Yester, son and heir of umquhill James Lord Hay of Yester his father, and Sir James Hay of Kingask, Knight Controller to H.M. Sir Patrick Hebroune of Vachtane, Knight, Robert Suentoune of that Ilk, Sir William Setoun of Kylsmure, Knight, and Andro Ker of Fentoun, his curators, to be retoured as heir to his said father in lands, lordship and barony of Yester, with castle, etc., advocation and donation, of the College Kirk of Bothanis, provostrie and prebendaries thereof, lands of Park, Gamilstone, Giffertgait, Linplum, Duncanlaw, Barro, Beltoun and Gilpallat; Blance, Lochquharrat, Eister Hopprew, Edstoun and Megott, Olivercastell, Todreik, Lyne and Wester Hopprew, Jedburghfield, and office of Sheriff of Peebles, with castle and fortalice of Neidpeth, half of barony of Glenrusco, lands and barony of Snaid, one quarter of Polgevie,—all which are now in the King's hands (except the lands of Beltoun, etc., which are in the hands of Dame Margaret Kar, relict of the said James Lord Hay, as liferentrix thereof), since the decease of the said James Lord Hay of Yester, who died in February 1609, being the space of one year and twenty-four days, through nonentry.

2nd March 1610. The inquest by the mouth of Alexander Lord Elphingstoun, chancellor, servis this claim affirmative, with reservation of the Lady's liferent. (*M.*)

Paper.

1081. 2nd March 1610. Extract Retour of Inquest held in the Tolbooth of Edinburgh on 2nd March 1610, before David Bryssone, James Chalmer, Alexander Douglas, Mr. William Stewart, macers of the Council and Session, Sheriffs of the shire of Edinburgh and within the constabulary of Haddington, and also as Sheriffs of Dumfries, Perth, Peebles and Selkirk by commission of the King, finding that James Lord Hay of Yester died in the month of February 1609, infeft in the lands, lordship and barony of Yester, the advocation and donation of the Collegiate Kirk of Bothanis, the lands and Mains of Park, Gammilstone, Giffertgait and superiority thereof, the lands of Linplum, the lands of Duncanlaw, except the lands mortified to the church, the lands of Barro, Beltane and Gilpallat, the fourth part of the town and lands of Blaus, the lands and barony of Lochquharrot in the shire of Edinburgh, the lands of Easter Hoprew, Edstoun and Meggett, lands and barony of Olivercastell and Todreik in shire of Selkirk, Lyne, Wester Hoprew and Jedburghfield, the office of Sheriff of Peebles, with castle of Neidpeth, half the barony of Glenrusco in shire of Peebles, the lands and barony of Sned in Dumfriesshire, and the fourth part of the lands of Polgavie in Perthshire, and that Dame Margaret Ker is lawful spouse to the said James Lord Hay, and that she ought to have a reasonable terce out of said lands, and they assign to her the third part of the said lands, excepting those of Beltane, Gilpallat and Bentidod, which are pertinents of Beltane, and the Mains of Yester park and Heidinghill. (The seals of six of the members of inquest and Sheriffs are appended, all somewhat broken or defaced.) The persons of inquest are John Earl of Cassillis, George Earl of Wyntoun, Alexander Earl of Linlithgow, James Earl of Perth, John Earl Murray of Tillibarne, Allan Lord Cathcart, John Lord Saltoun, Robert Lord Sanquhar, Alexander Lord Elphingstoun, James Lord Torfiquhin, Richard Lord Dingwall, William Murray, Master of Tullibarne, Walter Lord Blantyre, William Douglas Lord of Drumlanrek, —— Kennedy Lord of Bloquhane, Sir David Carnygie of Kinnaird, Knight, John Scrimiger, apparent of Dudop, Constable of Dundie, and Sir Andrew Murray of Blackbarronie, Knight. Mr. John Paip, W.S., notary public, is clerk of the Court, and Mr. William Ogstoun, his servitor, is writer of the retour. (*M.*)

1082. 2nd March 1610. Extract of foregoing Retour signed by John Achesone, depute of Sir William Kerr of Haddin, Director of Chancery. (*M.*)

1082A. 8th March 1610. Robert Pringillis renunciation of the lands of Milkiestoun in favour of Dame Margaret Ker and William Hay, her son. (*Linplum Inventary*, No. 18, 1617.) (*M.*)

1083. 28th March 1610. Precept by the said Sheriffs for infefting the said Dame Margaret Ker, Lady Yester, in the terce assigned to her in the foregoing Retour, No. 1081. At Edinburgh 28th March 1610. Signed. (*M.*)

The seals of the granters are appended but are undecipherable.

1084. 23rd May 1610. Certified Copy Instrument of Sasine from the Protocol Book of the late James Gray, notary public and common clerk of the burgh of Hadingtoun, in favour of John Lord Hay of Zester as heir to the late James Lord Hay of Zester his father, narrating Precept from Chancery infefting him in the lands, lordship and barony of Zester, as in No. 1080, all incorporated in one whole free lordship and barony to be called the lordship and barony of Zester, and that one Sasine taken by the heirs-male and of taillie of the said lands at the Castle and fortalice of Zester shall stand and be sufficient for all the forenamed lands, taking security of £60 scots of the fermes of the forenamed lands and barony of Zester and £60 of relief thereof, and £40 of the fermes of the said lands of Beltane and Gilpallet and £40 of relief thereof, with £4 of fermes of the fourth part of the town and lands of Blance and of 2 broad arrows for duplication thereof, £40 of the lands and barony of Lochquharret and £40 of relief thereof, £58 of the fermes of Easter Hoprew, Edstoun and Meggat, with £58 of relief, £54 of the fermes of one half lands of Glenrusco with lands and barony of Olivercastell and superiority of Todrig, and of £54 of the relief thereof, £20 of the fermes of the lands and barony of Lyne and Wester Hoprew, and £20 of relief thereof, £6 : 13 : 4 of the fermes of Jedburghfield with office of Sheriffship of Peebles with a like sum of relief thereof, and £40 of the fermes of the lands and barony of Sned and £40 of relief, except Dame Margaret Ker's liferent of the town and lands of Beltane, Gilpallet and Bentidod, which are parts of the lands of Beltane, lands and manor of Zester Park and mill thereof, lands and manor of Hedinghill. Witnesses, William Cokburn, apparent of Newhall, William Hay in Bothanis, Robert Gray, son of Andro Gray, Bernard Aytoun, servitor to the said Lady of Zester, and Patrick Buchannan, serjeand of the said Constabulary. Extracted by George Gray, notary public, 23rd May 1610. (*M.*)

Paper.

1085. 30th May 1610. Charter by Patrick Murray of Pardvis to Alexander Earl of Dunfermline and Dame Margaret Hay, his spouse, and the survivor of them in conjunct infeftment and the heirs-male lawfully procreate or to be procreate between them, which failing to the heirs-male of the body of said Earl, which failing to the heirs male of the said Earl succeeding him in the heritable office of bailliary of Dunfermline, which failing to his heirs-male bearing the sirname and arms of Seytoun, of that mill of Cailzeraw and 2 corn mills lying under walls of the Monastery of Dunfermline called "lie heuche milnes," with mill lands, multures, etc., also the yard or orchard called St. Lawrence Yaird, with dovecote, etc., lying near the gate of the said Monastery between the common way leading to the said gate on the east, the common way between the said yard and the lands of Pittencreif on the west, the croft called St. Laurence Croft on the south, and the lower close of the said Monastery on the north. Holding from the granter of the King and Queen in feuferme, paying yearly to the Queen as Lady of Dunfermline £16 scots 16 capons or 12d. for each capon for the said 3 mills of Colzeraw and Heuchemilnes, and 42s. with 2 lib. wax for the said yard. Narrating Contract between the said Earl and the granter and Mr. William Melvill, commendator of Tungland, for himself and Dame Agnes Lyndsay, his spouse. (Written by Mr. William Ogstoune,

servitor to Mr. John Paip, W.S., and containing Precept directed to Robert Mersar of Sauling, bailie. Dated at Edinburgh 30th May 1610. Witnesses, Patricke Lyndsay of Kirkforth, Mr. James Aitone, portioner of Grange, Alexander Inglis of Rattinraw, James Melvill and Gilbert Sanders, servitors to the said Mr. William, commendator of Tungland. (*M.*)

Signed by the granter, Mr. William Melvill, commendator of Tungland, and Agnes Lyndsay.

1086. 20th July 1610. Confirmation by Anne, Queen of Great Britain, Lady of Dunfermline, with consent of her husband, James, King of Great Britain, etc., of Charter No. 1085. At Edinburgh 20th July 1610. Superscribed by cachet. Signed, Blantyre, Sr T. Hamilton. James R. Mr. Almussar, Preistfeild. Anna R. (*M.*)

Seal of the Queen as Lady of Dunfermline is appended in fair condition. Endorsed "Registrat Joannes Paip."

1087. 1st Aug. 1610. Precept by Queen Anne with consent of King James 6th, her husband, for infefting Patrick Murray of Perdewis as only lawful son and nearest heir of the late James Murray of Perdewis, his father, in the subjects described in No. 1085, which formerly held of the commendator and convent of Dunfermline and now of the Queen as suceeeding them in the lordship of regality of Dunfermline. (Written by Thomas Bigholme, servitor to Mr. John Paip, writer.) At Edinburgh 1st August 1610. *Superscribed by the King and Queen and subscribed Al. Cancell. Blantyre, S. T. Hamilton, Mr. Almussar.* (*M.*)

Seal of Lordship of Dunfermline is appended complete. Endorsed in Registrat John Paip.

Resavit Compositioun within contenit. Henrie Wardlaw.

1088. 25th Aug. 1610. Sasine following on foregoing Precept (No. 1087), dated 25th August 1610; Robert Mersar of Sawling, bailie depute of regality of Dunfermline, is bailie. Witnesses, Mr. James Ayton, portioner of Over Grange of Kingorne Wester, Mr. Thomas Wardlaw, portioner of Newlandis, James Mochrie, bailie of the burgh of Dunfermline, Henrie Trumble, merchant, Adam Dewar, surgeon, burgesses of the said burgh, William Walwode, portioner of Touche, William Walwode, his son, Mr. William Kingorne, son of the notary, George Fergusson, David Forrest and William Huggoun, servitors to Alexander Earl of Dunfermline. James Kingorne, N.P. (*M.*)

1089. 25th Aug. 1610. Sasine following on preceding Charter 1085, dated 25th August 1610. Witnesses, Mr. James Aytoun, portioner of Over Grange at Kingorne Wester, James Mochrie, bailie of the burgh of Dunfermline, Henry Trumble, merchant, Adam Dewar, chirurgeon, burgesses of the said burgh, William Waluode, portioner of Touche, William Walwode, his son, Mr. William Kingorne, son of the notary, George Fergussoun, David Forrest and William Huggoun, servitors to the said Earl. James Kingorne, notary public per. dom. conc. and clerk of the regality of Dunfermline, is notary.

1090. 25th Aug. 1610. Sasine on foregoing Confirmation 1086. Witnesses and notary *ut supra.* (*M.*)

1091. 9th March 1611. Procuratory of Resignation by Alexander Erle of Dunfermline, Lord Fyvie and Urquhart, Chancellor of Scotland, to Thomas Viscount of Fentone, Lord Dirltoun, for resigning in the hands of the King (James VI.) as superior, all and whole the lands, lordschip and barony of Urquhart and regality thereof, with the teinds schaves and other teinds as well

parsonage as vicarage thereof, viz. : town lands and aikeris of Urquhart, the lands of Unthank, Loch Finfane, Over Binnis, Nedder Binnis, Eister (Binnis) *alias* Hutchoune Maitles and Hillis Mawerstoune Byris Threipland, Woodland, Over mest, Nedder mest, Lewcharis, the Milnes of Urquhart Millen Craig Dinkintie, Monachtie Forres, with milne lands, multures and other duties of the saidis milnes respective and with the multures as well of quheit as beir within the erledom *alias* thanedome of Murray, of auld usit to be payit to the pryouris and convent of Pluscardie ; all and whole the salmond fisching of the twa cobbillis and thrid part coble upone the water of Innerspay with the Corshous and their pertinents, the lands and barony of Fochaberis and Ardedaroche, the lands and barony of Farnane, Grangegrene, Moy Grangehill, Fernochtie, Mwrtoun, Reniky, Buchtalie with the Milne of Grangegrene and New Milne of Dulpottie, milne lands, multuris, duties and privileges thereof, with the salmon fisching callit the feith of Findhorne, with the salmond fisching of Farmaiane and salmond fisching of ane coble upon the water of Findhorne, the teind shaves and other teinds, etc., of the parish kirks of Urquhart and Bellie and of all lands lying within the samene, with advocation, donation and right of patronage of the said Kirks, with all and sundry houses, etc., and pertinents of the lordschip, barony, etc., above expremit, with a full and free regality, free chappell and chancellarie within the haill bounds of the same ; all lying in the lordschip of Urquhart and sheriffdom of Elgin and Forres, all and whole the chanters mans of Murray with orchards, yards, etc., lying within the College the Cathedral Kirk of Murray, regality of Spynnie and sheriffdom foresaid ; all and whole that salmon fishing and tugnet alsweill of reidfischis and stail fische as of other fisches within the flowing of the sey fra the mouth of Innerspay at the east to the mouth of Lossy at the west with the hous profitts and pertinents thereof lying in the sheriffdom of Elgin and Forres ; all and whole the tenandrie of Hallisbrig containing the Kirklands of Haillis which pertained of before to Mr. James Borthick of Adenstoune with pertinents pertaining to the said Kirk lands lying in the sheriffdom of Edinburgh (except the mans and four aikeris of land assignit to the minister of the paroche Kirk of Haillis for his gleib) ; and the teind scheaves of the lands of Reidhall Collingtoune, Oxingangis and half lands of Comeistoune lying in the parish of Haillis, with the vicarage of the parish of Haillis with all teinds, fruits, etc., and all other teinds, etc., which pertained of before to the preceptorie of Sanct Antonia and patrimony thereof ; all and haill the lands, lordship and barony of Fyvie *alias* Foirmairtene comprehending the manes of Fyvie, with tower, fortalice, etc., the lands of ault callit the burrow landis of Fyvie, Milne of Fyvie, milne lands, astrict multures and sequels thereof, Perk and Tiftie, Darnabo Meikle Gourdes, Litill Gourdes, with the Milne of Gourdes, Stanemanhill, with mill, etc., Camaloune and crofts thereof, Haddo of Fyvie and toune of Pettie, Hill of Pettie and the lands callit the Milne of Pettie, the Walkmilne of Pettie, lands of Eistertoun, Watterstoun Jaxtoune, Boigheidis, Cowhill, the toun and lands of Rothiebursben, with pertinents, advocation, donation and right of patronage, benefices and chaplanries and namlie of the altar callit St. Ninianes altar foundit and situat within St. Nicolas Kirk of Aberdeen, all now lying in the lordship and barony of Fyvie and shireffdom of Aberdeen ; all and sundry the lands of Dalgatie Dunduf, with manor places, houses, etc., lying in the sheriffdom of Fife, the lands callit the seriand landis or the Maris landis of Pittencreiff extending to fyve aiker of land, with the meadow thereof, etc., lying in the barony of Innerteill and shire of Fife ; with the name state, degree, title, honour and dignity of Earl of Dunfermline, with all prerogatives, etc., thereof ; in the King's hands as immediate superior, for new heritable infeftment to be given to the said Earl and the heirs-male lawfully gotten or to be gotten of his body, which failing to Sir William Seytoun of Kyllismure, Knight, and the heirs-male lawfully gotten or to be gotten of his body, which failing to the heirs-male of the said Earl bearing the surname and arms of Seytoun and his heirs or assignees whatsoever, in due and competent form. (Written by Thomas Bigholme, servitor to Mr. John Pape, W.S.) At Edinburgh 9th March 1611. Witnesses, Mr. James Raith, William Inglis, James Keith and Thomas Drysdaill, servitors to the Earl. (*M.*)

Signed. Seal of granter in good condition.

1091A. 14th March 1611. Bond be William Hay of Linplum for making sufficient security of the prebendary of S. Edmonds altar to my Lady Yester in liferent and to my Lord heritablie, of the dait the 14th March 1611. (No. 15, *Inventory of Writs to be made forthcoming by Lady Yester.*)

1092. 16th March 1611. Assignation by Mr. James Hay of Rannes to Dame Margaret Ker, Lady Yester, and William Hay, her 2nd lawful son, and the heirs to be lawfully procreated of his body, which failing to the heirs and assignees of the said Dame Margaret whomsoever, of a Contract dated 24th May 1606, registered in Books of Council and Session same day, between William Hay of Linplum on the one part and the said Mr. James Hay on the other part, anent the discharge of a Contract between them of date 28th May 1599 binding the said Mr. James to deliver to said William and his heirs a reversion for redemption of the lands of Linplum, Wyndene, Cruiks and Kirklands of Baro, and of a Bond of date 28th May 1608 granted by said William to said James for 250 merks, and of another Bond dated 8th July 1602 granted by said Mr. James Hay and Alexander Achesoune, younger of Gosfuird, his cautioner, to said William Hay of Linplum and Helen Cockburn his spouse, for their releif of 40 merks as the half of an annualrent of 80 merks due by him furth of the lands of Linplum to the relict of William Hay of Barro and the said umquhile William, till lawfully redeemed for 1000 merks. (Written by Thomas Bigholm, servitor to Mr. John Paip, W.S.) Dated at Edinburgh 16th March 1611. Witnesses, William Sinclair, servitor to Mr. Lawrence Makgill, Mr. George Butler, servitor to said Dame Margaret, Mr. James Inglis and said Thomas Bigholm, servitors to John Paip, W.S. (*M.*)

Paper.

1092A. 16th March 1611. A Charter granted by Mr. James Hay of Renneis to Dame Margaret Ker, Lady Yester, and William Hay, her son, of the lands of Linplum and Wynden. (*Linplum Inventary*, No. 2, 1617.) (*M.*)

1092B. 16th March 1611. Ane Assignation by Mr. James Hay of Renneis to Dame Margaret Ker, Lady Yester, to certain bands made betuixt the said Mr. James and William Hay of Linplum. (*Linplum Inventary*, No. 65, 1617.) (*M.*)

1093. 27th March 1611. Instrument of Resignation by Thomas Viscount Fentoun as procurator for Alexander Earl of Dunfermling, resigning the lands of Outhe, the 5 sevin parts of the town and lands of Eist Barnis *alias* Grange, sometime pertaining to Gavin Douglas and William Lugtoun, the lands of Morfeisfald, with teind sheaves, the half of the lands of Lymkells, with teind sheaves, with the half of the houses, tenements and yards of Lymkills, the ware within the seaflood, the east and west salt pans of Lymkillis with girnells and houses thereof, the manor place and yaird of Lymkills, with the port and anchorages thereof, the lands of Lathalmond, the fourth part of North Fode which sometime pertained to Patrick Stanehous, the corn mill of Colzeraw and the twa corne mills under the wall of the Monastery of Dunfermling called the Huich Mylnes, with the yard or orchard called St. Lawrence yaird and doucat thereof, lands of Girsland and Cuningairland now called Bruntiland, with an annualrent of 20 merks out of the burgh of Bruntiland and commonty thereof, with the heritable offices of bailliary and Justiciary of the Lordship and Regality of Dunfermling, as well south as north of water of Forth, with the heritable office of Constabulary and keeping of the palace of Dunfermling; in the hands of the Queen as superior, for new heritable infeftment thereof to be given to the said Earl and the heirs-male lawfully gotten or to be gotten of his body; which failing to Sir William Setone of Kyllismure, Knight,

and the heirs-male lawfully gotten or to be gotten of his body; which failing to the said Earl's heirs-male bearing the sirname and arms of Setone and assignees whomsoever. Done in the inner chamber of the Palace of Whitehall about 9 p.m. 27th March 1611. Witnesses, Ludovick Duke of Lennox, James Marquis of Hamiltoun, John Earl of Mar, Robert Lord of Roxburgh, John Murray and Bernard Lindsay, servitors to the King. Mr. John Hay, clerk of the diocese of Moray, n.p. per. dom. conc. (*M.*)

1094. 27th March 1611. Instrument of Resignation by Thomas Vicount of Fentoun, Lord Dirltoun, procurator for Alexander Erll of Dunfermlyne, Lord Fyvie and Urquhart, Chanceller of Scotland, conform to foregoing Procuratory of Resignation (No. 1093). Instrument dated 27th March 1611. Witnesses, and notary *ut supra.* (*M.*)

1095. 30th March 1611. Instrument of Sasine narrating the infeftment of Patrick Murray of Pardeus, as only lawful son and nearest heir of the late James Murray of Pardeus, in a barn now waste with piece of yard annexed thereto commonly called the Coilzeraw mylnebarne lying in the burgh of Dunfermline in the street called "lie Coilzeraw" and outwith the gait thereof, bounded by the malt barn and yard of the late Walter Anderson now in the hands of Peter Law on the north, the barn and yard sometime of the said late Walter now of John Anderson his son and heir on the west, the "primarium" called "lie Coilzeraw orchard" on the west and the High Street on the east; and also narrating resignation of the same by the said Patrick Murray in the hands of John Anderson, one of the bailies of Dunfermline, in favour of Alexander Earl of Dunfermline and Dame Margaret Hay, his spouse, and their heirs bearing the sirname and arms of Seytoun; reserving to Agnes Lindsay, his mother, the free tenement or liferent of the said barn and yard. Dated 30th March 1611. Witnesses, Robert Merser of Sauling, David Car, armourer, burgess of Dunfermling, Gilbert Sanderis, notary there, John Schortus, cook there, and Robert Young, serjeand there. David Broun is notary and Mr. Thomas Wardlaw, portioner of Newlandis, is attorney for the said Earl. (*M.*)

1096. 6th April 1611. Precept under Testimonial of the Great Seal directed to the Sheriff and Bailies of Fife, and to Henry Wardlaw of Balmule, in favour of Alexander Earl of Dunfermline, Chancellor of Scotland, and the heirs-male of his body lawfully procreated or to be procreated, which failing to Sir William Seytoun of Kyllismure, Knight, and the heirs-male of his body lawfully procreated or to be procreated, which failing to the said Earl's heirs-male bearing the sirname and arms of Seytoun, and assignees whatsoever, for infefting him in the lands, lordship, barony and regality of Urquhart, as in 1091; all which the said Alexander resigned and which the king incorporated in a free Earldom and Lordship, to be called the Earldom of Dunfermline and Lordship of Fyvie and Urquhart, and that one sasine taken at the Manor place of Dalgatie shall be sufficient for all. At Roystoun 6th April 1611. (*M.*)

1097. 6th April 1611. Crown Charter in terms of the foregoing Precept in favour of Alexander Earl of Dunfermline and his heirs, of the land and barony of Urquhart, etc., paying the respective duties therein specified. At Roystoun 6th April 1611. (See Reg. Mag. Sig. xlvj., 374, and Calendar VII., No. 460.) (*M.*)

1098. 11th April and 5th Aug. 1611. Contract between Dame Margaret Ker Lady Yester on the one part and Thomas Hay of Scrogis on the other part. Whereby for 880 merks the said Thomas with consent of Abigaill Carmichael, his spouse, binds himself to infeft the said Dame Margaret in the

lands of Scrogis, lying in the parish of —— and shire of Peebles—Holding of him in free blench for payment of one penny yearly, and the said Margaret is to give Letter of Reversion containing the sum of 880 merks to be paid on 11th November 1611 in St. Giles Kirk of Edinburgh at the Earl of Murray's Tomb; and in case of absence or refusal the said sum to be consigned in the hands of the Treasurer or Dean of Guild of the said burgh. (Written by John Tweedie, notary in Peebles.) Dated at Peebles and Neidpath 11th April and 5th August 1611. Witnesses, Mathew Hay, bailie of Peebles, Andro Horsbruik, son to Alexander Horsbruik of that Ilk, Thomas Vaiche, messenger, John Tempill in Peblis, Archibald Frank and John Tuedie, co-notaries, John Baillie at St. John's Kirk, John Michelson of Currie, John his son, Thomas Vaiche, messenger, Mr. George Butler, John Herreis and John Ridschaw. (*M.*)

Signed. Paper.

1099. 11th April and 5th Aug. 1611. Extract Registered Contract (No. 1098). (Registered Deeds (Gibson), Vol. 191, 30 January 1612.)

1100. 14th, 15th, 16th and 20th April 1611. Copy Charter by John Lord Hay of Yester, with consent of his curators, to Dame Margaret Ker, his mother, in liferent and to William Hay, his brother german, and the heirs of his body lawfully to be procreated, which failing to the heirs and assignees of the said Dame Margaret whatsoever heritably, of the lands of Linplum and all the four quarters thereof called Maxwellis quarter, Boydis quarter, Makdougallis quarter and Hayes quarter; also the lands of Wynden, with towers, mills, etc., lying in the lordship of Yester, barony of Duncanlaw and shire of Edinburgh—Reserving the free tenement or liferent of the said lands of Linplum to William Hay of Linplum and Helen Cokburne, his spouse. Which lands of Linplum and Wynden formerly pertained to the said William Hay of Linplum in liferent and to Master James Hay of Rannes, heritably, holding of the said Lord Hay and his predecessors, and which the said Mr. James and William Hay of Linplum with consent of said Helen Cokburn resigned at St. Andrews in the hands of the said Lord Hay in favour of the said Dame Margaret Ker, mother of the said granter, and William Hay, her son, his heirs and assignees in liferent and fee respectively, holding of the granter in fee and heritage for ever, for payment yearly of one pair of spurs and four pennies scots. Erected in one free tenandry to be called in all time coming the tenandry of Linplum. Dated at St. Andrews, Edinburgh, Hadington and Wauchton 14, 15, 16 and 20 April 1611. (*M.*)

Paper.

1100A. 14th April 1611. Ane Instrument of Resignation of the lands of Linplum and Wynden for infeftment to be given be John Lord Hay of Yester to Dame Margaret Ker and William Hay. Under the note of John Jak and James Gray. (*Linplum Inventary*, No. 84, 1617.) (*M.*)

1100B. 14th, 15th, 16th and 20th April 1611. A Charter of the lands of Linplum and whole four quarters thereof of the lands of Wynden, given by John Lord Hay of Yester to Dame Margaret Ker, Lady Yester, in liferent and William Hay her son in fie. (*Linplum Inventary*, No. 4, 1617.) (*M.*)

1100C. 14th, 15th, 16th and 20th April 1611. A Charter of the lands of Linplum and Wynden, given by the said Lord Yester to his said mother and brother. (*Linplum Inventary*, No. 5, 1617.) (*M.*)

1100D. 10th May 1611. An Instrument of Dame Margaret Ker, Lady Yester, and William Hay, her sone, of the lands of Linplum and Wynden. (*Linplum Inventary*, No. 1, 1617.) (*M.*)

1101. 12th May 1611. Instrument upon Precept of Cognition by Alexander Douglas, Master William Stewart, James Chalmer and David Brysoun, ordinary macers of the Lords of Council and Session, directed to William Geddes, their bailie, for cognoscing Dame Margaret Ker, Lady Yester, spouse of James Lord Hay of Yester, in the terce of the lands, lordship and barony of Yester, Park, Gammilstoun, Giffertgait, Lynplum, Duncanlaw, Barro, Beltoun and Gilpallat, the fourth part of Blaus, lying in the shire of Edinburgh and constabulary of Haddington, the lands and barony of Lochquharrat in the shire of Edinburgh principal, the lands of Eister Hoprew, Edstoun and Megot, Olivercastell aud superiority of Todreik in shire of Selkirk, the lands and barony of Lyne and Wester Hoprew, Jedburghfield, with office of Sheriff of Peebles, and castle and fortalice of Neidpath, half of the barony of Glenrusco, in the shire of Peebles, the lands and barony of Sned in the shire of Dumfries, and the fourth part of the lands and barony of Polgavie in the shire of Perth, all erected in a whole and free barony to be called the lordship and barony of Yester; the said James Lord Hay having died in February 1609, and excepting from the said terce the lands and town of Beltoun, Gilpallat and Bentidod, which are parts of the said lands of Beltoun, the lands and mains of Yester Park, Heidinghill, already pertaining to the said Dame Margaret in liferent. Which terce fell to the said Lady by "lote of cors and pyle castin in presens" of the Inquest held in the Tolbooth of Edinburgh. Precept dated at Edinburgh 28th March 1610, Instrument taken on 12th May 1611. Witnesses, Alexander Dicksoun and James Bowsie, servitors to James Stevin in Blaus, John Robesoun in Duncanelawmyln, gairdner of Bothanis, Barnard Aytoun and John Pringill, servitors to the Lady, John Hay in Yester and William Hay, his son. James Stevin in Blaus and Robert Fleming of Clydesyde are attorneys for the said Dame Margaret and James Gray is notary. (*M.*)

Paper.

1102. 1st June 1611. Sasine proceeding upon Precept (No. 1096), dated 1st June 1611. Witnesses, Captain John Seytoun, one of the Captains of the Regiment of the King of France, Mr. John Drummond, Mr. James Raith and William Inglis, servitors to the said Earl. Alexander Donaldsoun is attorney for the said Earl and Mr. John Hay is notary. (*M.*)

1103. 13th July 1611. Reversion by Master William Hay of Barro, advocate before the Lords of Council and Session, to William Hay of Linplum that the lands of Craigkingilduris in the barony of Olivercastle and shire of Peebles, shall be redeemable on payment by him of "ane rois noble of gold" in the parish Kirk of Barro—he having resigned said lands in the hands of John Lord Hay of Yester, superior thereof, for that effect. (Written by Andro Burnet, servitor to John Thomsone, writer.) Dated at Tranent 13th July 1611. Witnesses, Mr. Robert Cockburne of Buttirden, advocate, John Cockburne, his brother, and Robert Baird, servitor to William Hay of Linplum. (*M.*)

Signature cut away to denote cancellation.

1103A. 13th July 1611. Ane uther discharge of aucht thowsand merks be the said Mr. James Hay to the said Dame Margaret Ker, Lady Yester. Registrate 13th July 1611. (*Linplum Inventary*, No. 27, 1617.) (*M.*)

1104. 13th July 1611. Extract Registered Procuratory of Resignation by William Hay of Linplum appointing Mr. George Butler to resign the lands of Craigkingildoris in the barony of Olivercastle and shire of Peebles, in the hands of Lord John Hay of Yester superior, in favour of Mr. William Hay of Barro, advocate, reserving the granter's liferent of said lands. (Written by John Henderson, servitor to the said Mr. William Hay.) Dated at Tranent

13th July 1611. Witnesses, Mr. Robert Cokburne, advocate, John Cokburne, his brother, and Robert Baird, servitor to the granter. Registered at Edinburgh 17th August 1611. Signed John Skene, Cl. Regr. (*M.*)

Paper.

1105. 5th Aug. 1611. Charter by Thomas Hay of Scrogis with consent of Abigail Carmichael, his spouse, in favour of Dame Margaret Ker, Lady of Yester, of the half lands of Scroggis lying in the parish of Stobo and shire of Peibles; holding from the granter in free blench ferme of his immediate lawful superiors, paying to the said Thomas one penny yearly in name of blench ferme and to the superior the feuferm used and wont. (Written by John Tuedie, notary public and clerk of the Burgh of Peibles.) Dated at Peiblis 5th August 1611. Witnesses, John Michelsoun of Currie, John (*Michelsoun* of) Currie, his son, John Baillie of Sanct Johnis Kirk, Mr. George Buttlar, Thomas Vache, "*nuncio regali*" (royal messenger), Archibald Frank, notary, and John Twedy, writer foresaid. Matthew Hay, burgess of Peiblis, is bailie. (*M.*)

The granters sign by the notary, John Tuedie, because they cannot write. Their seals are appended, somewhat defaced.

1106. 14th Aug. 1611. Instrument of Resignation by Mr. George Butler, procurator for William Hay of Linplum, resigning in the hands of John Lord Hay of Yester as lord superior, the lands of Craigkingilduris with pertinents lying in the barony of Olivercastell and shire of Peibles, in favour of Mr. William Hay of Barro, advocate, and for new infeftment thereof to be given to him, his heirs and assignees. Reserving the free tenement to the said William Hay of Linplum during his lifetime. Done at the Castle of Neidpeth about the hour of four, 14th August 1611. Witnesses, Alexander Hay of Smeithfeild, younger, Mr. Theodore Hay, archdeacon of Glasgow, John Dicksoun, "prefecto" of Peibles, Mr. William Dicksoun, son of the said "prefecti," and Andrew Pringill in Windelawis. Archibald Frank, clerk of the diocese of Glasgow, is notary public auct. Reg. per dom. conc. et sess. (*M.*)

1107. 14th Aug. 1611. Extract Registered Tack by Dame Margaret Ker, Lady Yester, and John, now Lord Hay of Yester, with consent of his curators, to Mr. William Hay, advocate, and Jean Hay, his spouse, and the survivors of them during their lifetimes, and after their decease to their heirs and assignees for the space of 19 years, of the husband land called Quhitchester in the parish of Barro, territory and village of Dunkalae, which the said William formerly had by Disposition from the late James Lord Hay of Yester, and which he had renounced, paying yearly 40s. of tack duty. (Written by Andro Burnett, servitor to John Thomsone, writer.) At Neidpeth Castle 14th August 1611. Witnesses, Alexander Hay, younger of Smefeild, Mr. Theodore Hay, Archdean of Glasgow, John Dicksone, provest of Peebles, Mr. George Butler and John Hereis, servitors to the granters, Mr. James Hamilton, advocate, procurator for Dame Margaret Ker. The curators of Lord Hay are Sir Patrick Hepburn of Wachton, Sir William Setoun of Kylismure, Knight, Robert Swyntoun of that Ilk, and Andro Ker of Fentoun. Registered at Edinburgh 13th February 1612. Signed John Skene, cls. Regr. (*M.*)

Paper.

1108. 14th Aug. 1611. Charter by John Lord Hay of Yester in favour of "*nostro consanguineo*" Master William Hay, advocate, his heirs and assignees whatsoever of the lands of Craigkingildoris, with pertinents, lying in the barony of Olivercastle and shire of Peiblis, which formerly pertained to William Hay of Linplum, held by him of the said Lord and his predecessors for service of ward and relief, in chief, and which the said William Hay of Lunplum by his

lawfull procurators, resigned in the hands of the said Lord Hay in favour and for new infeftment to be made to the said Mr. William. Holding of the granter in fee and heritage forever, for services used and wont. Reserving liferent thereof to the said William Hay of Linplum. (Written by John Hendersone, servitor to the said Mr. William Hay, advocate.) At the Castle of Neidpeth 14th August 1611. Witnesses, Alexander Hay, younger of Smeithfield, Mr. Theodore Hay, archdeacon of Glasgow, John Dicksone, provost of Peibles, and Hector Cranstoun and Mr. George Butler, servitor to the said Lord.

Signatures. Seal gone.

On the back.—23rd April 1612, Andro Hay, bailie, gaif Saising to Mr. William Hay of thir lands. Done betuix xij and ane. Witnesses, Mr. Theodore Hay, archdeacon of Glasgow, John Lowis of Maner, Mr. Alexander Spittell, minister of Liberton, Mr. Alexander Forrest, minister, and Robert Blunt and William Cockburne. Notars, John Thomsoun, Andro Hay. (*M.*)

1108A. 13th Sept. 1611. Ane Instrument of Resignation of the Kirklands of Bara in favours of Dame Margaret Ker and William Hay, her son. (*Linplum Inventary*, No. 21, 1617.) (*M.*)

1108B. 14th Sept. 1611. Ane Charter under the Great Seal following upon No. 1108A. (*Linplum Inventary*, No. 22, 1617.) (*M.*)

1109. 27th Sept. 1611. Instrument of Sasine on preceding Charter, No. 1105, Mathew Hay, burgess of Peibles, is bailie, and William Vaiche in the Nwik of Lyne is attorney for Dame Margaret Ker. Done about the hour of 11 a.m. 27th September 1611. Witnesses, Thomas Vaiche, "*nuncio regali*" in Peiblis, John Tempill there, William Lyne in Edstoun, and John Tuedie, notary public, clerk of the diocese of Glasgow per. dom. conc. (*M.*)

1110. 27th Sept 1611. Extract of foregoing Sasine, No. 1109. (*M.*)

Paper.

1111. 2nd Oct. 1611. Gift by William Hay of Lynplum as patron, to Mr. George Butler in Bothanis during his lifetime of the chaplanrie or prebendarie of that altar called "Sanct Edmond King and Martires altar," sometime founded by the granter's predecessors, Lairds of Lynplum and Tallo, in the College Kirk of Bothanis, within the sheriffdom of Edinburgh and constabulary of Haddington, with all tenements, lands, rents and emoluments pertaining thereto. (Written by Mr. James Gray, son to James Gray, sheriff and town clerk of Haddington.) At Linplum 2nd October 1611. Witnesses, Mr. Robert Cockburn, advocate, before the Lords of Session, John Cockburn, his brother, and Archibald Hay, servitor to Andro Scott, chirurgen burgess of Edinburgh. Mr. William Hay, portioner of Barro, is bailie.

Signed. Tag.

Endorsed is Instrument of Collation and Institution given by the said bailie of the said Altarage to the said Mr. George Butler, dated at the College Kirk of Bothanis 14th October 1611. Witnesses, Andro Ker of Brwmelandis, John Hereis, pedagog to John Lord Hay of Yester, Robert Runseman in Bothanis and George Galloway, son to umquhile James Galloway, burgess of Haddington. James Gray is notary. (*M.*)

1112. 14th Oct. 1611. Discharge by Maister William Hay, portioner of Barro, in favour of Dame Margaret Ker, Lady Yester relict and executrix confirmed to the late James Lord Hay of Yester and John now Lord Hay of

Yester, of certain sums of money, with sundry other benefits, gratituds and gude deidis in satisfaction of all profit that he (the granter) as heir to umquhile William Hay, portioner of Barro, his father, may claim for two several letters of tack of the lands of Apilltriesyde, lying within the barony of —— and shire of Peiblis, set by the late William Lord Hay of Yester to umquhile William Hay of Tallo, gudeschir of the granter, his heirs, etc., the one for the space of 5 years, the other for 3 years after the entry thereto; whereunto the said Mr. William's father was made assignee by his said umquhile father, from the which lands the said umquhile William, "my father," was debarrit and put by the said umquhile William Lord Hay and umquhile William and James Lord Hay, his sons; and of all sums of money, penalties and contraventions incurred by the said umquhile James Lord Hay and his spouse in alleged contravening of the letters of law suretie raised at "my" instance and execute against the said umquhile James Lord Hay, his spouse and others contained therein in teilling and outryveing the land on the west syde of the westmure of Duncanlaw to the which we pretended commonty, and of all fees or stipends alleged promised to "me" by the said umquhile James Lord Hay "for my service quhatsumevir maid be me to him," and of all other action, contract band, obligation, etc., which he or his heirs, executors or assignees can ask or claim against the said Dame Margaret Ker, her spouse or other the heir of the said William Lord Hay elder and his said sons. (Written by Mr. James Gray, son to James Gray, sheriff and town clerk of Hadingtoun.) Dated at the Bothanis 14th October 1611. Witnesses, Andro Ker of Brwmelands, James Hay, David Pringell, servitors to the said Lady, and the said James Gray, notary public. And also excepting to the said Mr. William and Jane Hay, his spouse, the tack presently set to them by the said Lady and Lord, of the husbandland of Duncanlaw called Quhitchester. (*M.*)

Signed. Paper.

1113. 14th Oct. 1611. Disposition by Master William Hay, portioner of Barro, in favour of John Lord Hay of Yester, of that husband land in Duncanelaw called Quhitechester land, sometime occupied by umquhile Robert Fell, lying within the toun and territory of Duncanlaw, barony thereof, sheriffdom of Edinburgh and constabulary of Haddington, disponed to the granter by the late James Lord Hay of Yester, father of the disponee, and now disponed to the said John Lord Hay in virtue of certain sums of money paid to the granter by Dame Margaret Ker, Lady Yester, on behalf of the said John, her son. Reserving to the said Mr. William Hay and Jane Hay, his spouse, and the survivor of them that Letter of Tack recently set by the said John Lord Hay, with consent of his curators, to them for the space of —— years for yearly payment of ——, with Procuratory of Resignation for resigning the said husbandland in the hands of the superior for new infeftment thereof to be given to the said John Lord Hay. (Written by Mr. James Gray, son to James Gray, sheriff and town clerk of Haddington.) At the Bothanis 14th October 1611. Witnesses, Andro Ker of Brwmelandis, James Hay, David Pringill, servitors to the said Lady Yester, and the said James Gray, notary public. (*M.*)

Signed. Paper.

1113A. 14th Oct. 1611. Ane Letter of Alienation be Mr. William Hay of Maxwells Quarter of Linplum to Dame Margaret Ker in liferent and William Hay, her son, heretable, beiring his ratification of all dispositiones made be William Hay of Linplum to Mr. James Hay of Renneis, in favour of Dame Margaret Ker, Lady Yester, and William Hay, her son. (*Linplum Inventary*, No. 91, 1617.) (*M.*)

1113B. 14th Oct. 1611. Mr. William Hay's Charter of the said quarter lands to Dame Margaret Ker, Lady Yester, and William Hay, her son. (*Linplum Inventary*, No. 8, 1617.) (*M.*)

1113C. 17th and 26th Oct. 1611. A Charter of Confirmation of the fourth part of the lands of Linplum called "Maxwellis quarter" by John Lord Hay of Yester to Dame Margaret Ker, Lady Yester, and William Hay, her son. (*Linplum Inventary*, No. 9, 1617.) (*M.*)

1114. 18th and 21st Nov. 1611. Charter by James M'Gill of Rankillour Nedder with consent of Anna Clepan his spouse, in favour of Alexander Earl of Dunfermline and the heirs-male of his body procreated or to be procreated, which failing to his heirs-male succeeding to him in the heritable office of bailliary, lordship and regality of Dunfermline and lordship of Fyvie and Urquhart, of the lands of Pinkie and Cars with manor place of Pinkie, lying in the shire of Musselburgh, regality of Dunfermline and sheriffdom of Edinburgh. Holding from the granter of the Queen in feuferm. Paying yearly for the said lands of Pinkie and Cars the sum of 33 pounds 6 shillings 8 pennies Scots with 16 capons yearly in name of feuferm, with duplication thereof at the entry of each heir; rendering also yearly three suits at the three head Courts of the lordship of Dunfermline held in the Tolbooth of the burgh of Musselburgh, also presence in the circuit court of Justiciary of the said lordship and regality, and paying for the manor place of Pinkie 40 shillings Scots yearly; with corn multures growing upon the said lands to the mills of Musselburgh, in implement of Contract (No. 1115). At Edinburgh and Couper in Fife 18th and 21st November 1611. Witnesses, Alexander Inglis of Rottounraw, Mr. James Raith, Mr. John Hay, servitors to the said Earl, Mr. John Paip, Writer to the Signet, Richard Scot in Mussilburgh, John Paitersone, sheriff clerk of Fife, Alexander Jamieson, provest of Couper in Fife, Mr. William Clepan, lawful son of George Clepan of Karslogy, James Glasfuird, lawful son of Patrick Glasfuird, writer in Couper. (Written by Thomas Bigholme, servitor to the said Mr. John Paip.) Mr. John Hay, servitor to the said Earl, is bailie, to whom the Precept is directed. Anna Clephane signs by Patrick Glasfurd, notary, attested by Andrew Glasfurd, co-notary. (*M.*)

Signed. No seal.

1115. 18th and 21st Nov. 1611. Contract between Alexander Earl of Dunfermline, on the one part, and James M'Gill of Rankillour Nedder and Anna Clepan, his spouse, whereby for the sum of 50,000 merks the said James and his spouse disponed to the said Earl and the heirs-male lawfully procreate or to be procreated of his body, which failing to his heirs-male succeeding to him in the heritable office of the bailliary of the lordship and regality of Dunfermline, the lands of Pinkie and Kars, lying in the lordship of Musselburgh, regality of Dunfermline and shire of Edinburgh, to be held of the Queen. In security whereof the said James M'Gill, as oy and heir of the late Mr. James M'Gill of Rankillour Nedder, Clerk Register, constitute the said Earl his assignee in and to a Tack of date at Dunfermline 5th June 1574 by the late Robert, Commendator of Dunfermline, with consent of the convent thereof, to the said deceased Mr. James M'Gill, Clerk Register, and the late James M'Gill, his son, of the teind sheaves of the said lands, and in and to a Bond of date 13th May 1600 registered in the Books of Council 30th December 1601 by the late James Richesone, elder of Smetoune, with consent of Elizabeth Douglas, his spouse, and James Richesone of Smetoun, their son, anent the heritable disposition to the said James M'Gill and his heirs of the manor place and fortalice of Pinkie. At Edinburgh and Couper in Fyffe 18th and 21st November 1611. Witnesses, Alexander Inglis of Rattounraw, Mr. James Raith, Mr. John Hay, servitor to the said Earl, Mr. John Paip, Writer to the Signet, Richart Scot, indweller in Mussilburgh, John Patersone, sheriff clerk of Fyffe, Alexander Jamesone, provost of Couper in Fyffe, Mr. William Clepan, lawful son to George Clepan of Kerslogy, James Glasfuird, lawful son to Patrick Glasfurd, writer in Couper. (*M.*)

Signed. Paper.

1116. 18th and 21st Nov. 1611. Extract Registered Copy of Contract No. 1115 registered at Edinburgh 23rd November 1611. Signed by Sir John Skene of Curriehill, Knight, Clerk Register. (*M.*)

Paper.

1117. 19th Nov. 1611. Draft Bond by Alexander Earl of Dunfermline declaring that in the Disposition of the lands of Pinkie and Carse by James M'Gill of Rankillour to him the coals are reserved to the superior, and that the said James shall be free of all warrandice to the said Earl for the same. Also that for the warrandice of the house, fortalice and manor place of Pinkie he would be content with the warrandice the said James had from James Richesoun, elder and younger, of Smetoun. At Edinburgh 19th November 1611. (*M.*)

No witnesses named. Paper.

1118. 19th Nov. 1611. Bond by Mr. James M'Gill of Rankillour Nedder disponing to Alexander Earl of Dunfermline the whole plenishing iron or timber work of the manor place of Pinkie, and that the said Earl presently have the keys of the said manor place. At Edinburgh 19th November 1611. Witnesses, Androw Aytoun of Dunmure, Alexander Inglis of Rattounraw, and Mr. John Hay, writer of the deed. (*M.*)

Signed. Paper.

1119. 21st Nov. 1611. Extract Registered Ratification of the foregoing Contract No. 1115 by Anna Clepane, spouse of James M'Gill of Rankillour Nedder. Dated at Coupar in Fyffe 21st November 1611. Witnesses, Alexander Jamesoun, proveist of Coupar, Mr. William Clephane, lawful son to George Clephane of Carslogie, Mr. John Hay, servitor to the Earl of Dunfermline, and James Glasfurd, brother-german of Andro Glasfurde, writer. Registered at Edinburgh 23rd November 1611. Signed by Sir John Skene of Curriehill, Knight, Clerk Register. (*M.*)

Paper.

1120. 21st Nov. 1611. Extract of No. 1119 from the Sheriff Court Books of Fyffe, of date 21st November 1611. Signed by John Patersoun, sheriff clerk. (*M.*)

Paper.

1121. 10th Dec. 1611. Bond by George Bennet, clerk of Mussilburgh, granting that he occupies and labours three riggs of land lying before the "zett of Pynkie house" with the permission of Alexander Earl of Dunfermline and by no other right or title, and binding himself to cease the said occupation and labouring whenever he shall be required by the said Earl so to do, without any warning. At Mussilburgh 10th December 1611. Witnesses, Alexander Inglis of Rattynraw, John Broun, bailie of Mussilburgh, Walter Smart and William Duncane there, and Mr. James Raithe, writer of the bond. (*M.*)

Signed. Paper.

1121A. 14th Dec. 1611. My Lady Yester and William her son's Precept of Sasine of the Kirklands of Bara. (*Linplum Inventary*, No. 12, 1617.) (*M.*)

1121B. 7th Jan. 1612. Mr. James Hay's discharge to my Lady Yester of aught thowsand merks. Registrat 7th January 1612. (*Linplum Inventary*, No. 26, 1617.) (*M.*)

1121C. 17th Jan. 1612. Andro Hay's Accquittance of the Tax of the lands of Milkistoune for Dumbartaine, 17th Januar 1612 yeaiis. (*Linplum Inventary*, No. 78, 1617.) (*M.*)

1122. 30th Jan. 1612. Letters of Horning at the instance of Dame Margaret Ker, Lady Yester, against Thomas Hay of Scrogis for not infefting said Dame Margaret in the lands of Scrogis conform to foregoing Contract No. 1098. Signetted at Edinburgh 30th January 1612, sealed 22nd May 1612. Thomas Vaiche messenger. Registered in Sheriff Court Books of Peebles 8th August 1612. (*M.*)

Paper.

1122A. 31st Jan. 1612. Ane band made be Mr. James Hay of Renneis to Dame Margaret Ker, Lady Yester, for her releif of ane certain annualrent furth of the lands of Linplum, registrat in the Books of Counsell 30th January 1612. (*Linplum Inventary*, No 66, 1617.) (*M.*)

1123. 25th Feb. 1612. Royal Confirmation of Charter by James M'Gill of Rankilour Nedder in favour of Alexander Earl of Dunfermline, No. 1114. Holding from the granter of the Queen. Under the cachets of King James VI and his Queen. At Quhythall 25th February 1612. (The seal of Queen Ann on the one side and that of the lordship of Dunfermline on the other is appended, slightly broken at top.)

Endorsed "Registrat Johne Paip."

Also note that on 24 March 1612 Mr. John Hay, bailie, gave sasine upon said Charter. Witnesses, John, Earl Rothes, William Inglis, John Swyntoun, William Ferguson, servitor to the Earl of Dunfermline, Mr. Arthour Gordoun, servitor to Earl Rothes, and Mr. William Seytoun, advocate. Mr. John Paip, n.p. (*M.*)

1124. 25th Feb. 1612. Royal Confirmation by Queen Anne with consent of the King of Charter (No. 1114). Holding of the Queen as superior. At Quhythall 25th February 1612. (Seal of the lordship of Dunfermline on one side and of the Queen on the other is appended, complete.) (*M.*)

1125. 25th Feb. 1612. Tack by Anna, Queen of Great Britain, etc., Lady of Dunfermline, in favour of Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, great chancellor of Scotland, and his heirs-male immediately succeeding to him in the Earldom of Dunfermling and heritable bailliary of the regality thereof during their lifetimes, which failing to the two heirs-male lineallie succeeding successively to the saids Earl's heirs-male, during their lifetimes, of the teind sheaves of the lands of Pinkie and Kars, lying in the lordship of Mussilburgh, regality of Dunfermline and shire of Edinburgh, with the teind sheaves of the fishes in the said lordship as well of salmon as of other fishes "reid and quhyt." Paying yearly for the said teind fish the sum of 8 pounds Scots at Whitsunday and Martinmas yearly, and for the teind sheaves of Pinkie and Karse the sum of 10 pounds Scots at the feists of the purification of our Lady called Candlemas and the invention of the Halie Croce callit Beltane by equal portions; in respect that the late Mr. James Mackgill of Rankillor nedder, clerk of His hienes Register, having the said teinds set to him and to the late Mr. James M'Gill, his eldest son and apparent heir, and

after their decease to three heirs of the said umquhile Mr. James younger, during their lifetimes ; by the late Robert, Commendator of Dunfermline, with consent of the convent thereof. And the said Commendator having respect to the manifold gratitudes, etc., done by the said umquhile Mr. James M'Gill elder to him, his predecessors and convent of the said Abbey in times bypast for maintenance of the right and privelege of their place, and that the said lands of Pinkie and Karse set in few to him during his lifetime and the said umquhile Mr. James his son in fee and heritage and to the heirs specified in the infeftment made thereupon and that the said teinds were set continually to the tacksman and feuars of the said lands of Pinkie and Karse and willing that the heirs of the said James younger succeeding to him after the three heirs foresaids should not be troubled nor altered in the possession thereof; Therefore the saids Abbot and convent bind themselves to renew the said tack to them, then paying for said renewal £40 ; and in consideration that James M'Gill, now of Rankillour Nedder, oy and heir of the said umquhile James M'Gill, clerk of Register, has not only disponed the said lands to Alexander Earl of Dunfermling and his heirs foresaid, to be held of the Queen and her successors in fewferme and heritage, but has constitute them their assignees in and to the said tack, therefore the Queen grants this tack and for thankful services rendered to her by the said Earl. At Quhythall 25th Februar 1612. Written by Thomas Bigholme, servitor to Mr. John Paip, W.S. Superscribed James R. Anna R. Signed Blantyre, S. Hamilton, Mr. Almussar, Preistisfield. Fragment of Queen's seal. Endorsed " Registrat Joannes Paip." (*M.*)

1126. 25th Feb. 1612. Copy of foregoing Tack. (*M.*)
Paper.

1127. 29th Feb. 1612. Discharge by Alexander Earl of Dunfermline to James M'Gill of Rankilour Nedder of the writs of the lands of Pinkie and Cars, teind sheaves and teind fish within the lordship of Musselburgh ; which writs date from 11th August 1555 to 21st November 1611. (Written by Mr. James Inglis, servitor to Mr. John Paip, W.S.) At Edinburgh 29th February 1612. Witnesses, the said Mr. John Paip, Mr. John Hay, Thomas Drysdaill, servitors to the said Earl, and the said Mr. James Inglis. (Signed by the Earl and witnesses.) (*M.*)
Paper.

1128. 29th Feb. 1612. Copy of the foregoing Discharge of same date unsigned. (*M.*)
Paper.

1129. 24th March 1612. Instrument of Sasine proceeding upon No. 1114. Dated 24th March 1612. Witnesses, John Earl of Rothes, Mr. Arthur Gordoun, his servitor, Mr. William Seytoun, advocate, William Inglis, John Swyntoune, William Fergusone, servitors to the Earl of Dunfermline. Mr. John Paip is notary. (*M.*)

1130. 24th March 1612. Instrument of Sasine proceeding on No. 1124. Dated 24th March 1612. Witnesses and notary same as in No. 1129. (*M.*)

1131. 15th July 1612. Instrument of Sasine proceeding on Feu Charter by Mr. George Butler, chaplain of the chaplanry of the altar of St. Edmond King and Martyr, situated and founded within the Collegiate Kirk of Bothanis, with consent of William Hay of Lynplum, patron of the said chaplanry, and the provest and other probendaries and chaplains of the said Kirk, in favour of Dame Margaret Ker, Lady Yester, in liferent, and John Lord Hay of Yester, his heirs and assignees whatsoever, heritably and irredeemably, of his

walk mill of Dnncanelaw, lying on the east and north sides of the Water of Yester, and east part of the town of Bothanis, with mill lands thereof lying in the territory of Duncanelaw, and that cottage land lying in the said territory called Rachesyde, with pasturage of animals and other privileges, lying in the barony of Duncanlaw, lordship of Yester, shire of Edinburgh and constabulary of Haddingtoun. At Lynplum and Bothanis 25th October 1611. Witnesses, Alexander Horsburgh, younger of that Ilk, Mr. William Hay and Mr. Robert Cokburn, advocates, Patrick Lyle, servitor to the Earl of Lynlithgow, John Hereis and David Pringill, servitors to the same Dame Margaret Ker. Sasine dated 15th July 1612. Witnesses, Archibald Hay, brother german of Mr. John Hay, rector of Ranthrow, John Hay in Yester, Patrick Butler, servitor to the said Lady Yester, Alexander Glaister, servitor to the said Mr. George Butler, and John Geddo, servitor to William Hay of Lynplum ; Robert Baird, servitor to the said William Hay, is bailie, and James Gray is notary. John Hereis is attorney for the said Lady Yester. (*M.*)

1132. 15th July 1612. Copy Discharge by Mr. George Butler, servitor to Dame Margaret Ker, Lady Yester, in favour of the said Dame Margaret of the few maills of the walkmylne and mylne lands thereof called the Walkmylne of Duncanelaw, and that Coitland in Duncanlaw called Raschesyde, lying in the town and territory of Duncanlaw, with pasturage, privileges and pertinents, lying "be eist the bothanis and on the eist syde of the watter thereof," within the lordship of Yester, shire of Edinburgh and constabulary of Haddingtoun, pertaining to the said Mr. George as chaplain of the chaplanrie or prebendarie of St. Edmond's altar or yle callit the Altar of St Edmond King and Martire, sometime situate within the College Kirk of Bothanis, to which he was provided by William Hay of Linplum, patron thereof ; and to the said chaplanrie as a part of the patrimony thereof ; which the said Mr. George had set to the said Lady in liferent, and John Lord Hay of Zester, her son, his heirs, etc., heritably in feuferme. (Written by Mr. James Gray, son to James Gray, sheriff and town clerk of Hadingtoun.) Dated at Bothanis 15th July 1612. Witnesses, Archibald Hay, brother german to Mr. John Hay, persone of Renfrew, John Hereis, servitor to the said Lady, and the said James Gray, notary. (*M.*)

Paper.

1132A. 15th July 1612. The Instrument of Sasine given to Dame Margaret Ker in liferent and to William Hay, her son, in heritage of the Kirklands of Bara, 15th July 1612. (*Linplum Inventary*, No. 3, 1617.) (*M.*)

1133. 22nd July 1612. Charter by James Baillie, Archpresbiter of Dunbar, to John Lord Hay of Zester, his heirs-male and assignees whatsoever —heritably of those two acres of Kirklands lying in the territory of West Barns near the lands of Beltoun, within the shire of Edinburgh and constabulary of Hadingtoun, viz. one acre of land thereof lying contiguous with lie Berdisbalk between the lands of Beilhauch on the east, the lands of Beltoun on the south and west parts, 3 ruiddis of lands extending to one acre of land lying likewise contiguous with the Berdisbalk, between the lands of Beltoun on the south and west, and "*terras regias*" called "lie brwmestobbis" on the east and north parts, which two acres formerly pertained heritably to Robert Swyntoun of that Ilk, and which he by his procurators resigned in the hands of the said Archpresbiter as superior thereof at Edinburgh ; in favour and for new infeftment to be given to the said John Lord Hay ; and hereby of new confirmed to him, holding of the granter in feuferme fee and heritage for ever, for yearly payment of 14s. Scots in name of feuferme and doubling the same the first year of the entry of each heir. (Written by James Gray, son of James —— (*sic*), common clerk of the burgh of Hadingtoun.) At Edinburgh 22nd July 1612. Witnesses, William Aitkin in Greinhill, Mr. William Kellie, W.S., Mr. George Butler,

servitor to Dame Margaret Ker, Lady Zester, Peter Sandersone, tailor burgess of Edinburgh, and James *Newun* (signs Newtoun) and David Thomsoun, servitors to the granter. William Geddes in Duncanlaw is bailie. (*M.*)

Signed. Seal of granter gone.

1134. 27th July, 6th Aug. 1612. Executions by Thomas Vaiche, messenger, of foregoing letters of Horning, No. 1122, to which William Makcawlay in Bigger, James Vaiche in Hopprew and Andro Porteous in Scroggis, Thomas Williamson, Thomas Smyth, burgesses of Peebles, and James Dalmahoy, officer there, John Bullo, bailie of Peebles, John Tod, Patrick Paterson, burgesses there, and Andro Kid in Edstoun are witnesses. Registered at Peebles 8th August 1612. (*M.*)

Paper.

1135. 1st Aug. 1612. Instrument of Sasine in favour of John Lord Hay of Yester of that tenement of land heritably pertaining to Robert Swyntoun lying on the north side of the Market Cross of Haddington between the tenement of Walter Seton on the east, the tenement of Hector Campbell on the west, the common Vennel on the north and the said Market Cross on the south—on Resignation by Mr. George Butler, provest of Bothans and servitor to Dame Margaret Ker, Lady of Yester—as procurator for said Robert Swyntoun, conform to Letter of Alienation by said Robert dated at Edinburgh 22nd May 1605. Sasine dated 1st August 1612. Witnesses, James Hay in Haddington, Robert Runseman in Bothans, Daniel Cokburne, burgess of Hadington, Alexander Wallace and George Fresar, serjants of said burgh, Richard Broun, bailie of Haddington, is bailie, and James Gray, clerk of the diocese of St. Andrews, n.p. Robert Fleming of Clydesyde is attorney for said Lord Hay. (*M.*)

1136. 3rd Aug. 1612. Instrument of Sasine proceeding upon foregoing charter, No. 1133, by William Geddes in Duncanlaw, bailie. Thomas Scott, servitor to Dame Margaret Ker, Lady Zester, is attorney for the said Lord. Dated 3rd August 1612. Done at said two acres about the hour of 1 p.m. Witnesses, Mr. George Butler, servitor to the said Lady Zester, William Broun in Beltoun, John Binnein there, James Frensche, servitor to the said John Binnein. James Gray, clerk of the diocese of St. Andrews, notary public, p. dom. conc. (*M.*)

1137. 6th Feb. 1613. Letters of Inhibition at the instance of James Henrisone, tailzeour burgess of Edinburgh, against William Hay in the Bothanes afterwards in Yester, as principal, and James Veitche, younger, in Dalkeith and John Cranstoun in Skatisbus as cautioners, to inhibit them from selling their lands, etc. till the complainer is satisfied of the sum of 100 merks contained in Bond by said William Hay and James Veitche, dated at Edinburgh, 11th June 1604; 100 merks contained in Bond by said William Hay and John Cranstoun, dated at Edinburgh 13th June 1606, registered 22nd December last, and 40 pounds contained in Bond by said William Hay dated at Yester 21st June 1612. Given under the Signet at Edinburgh 6th Februar 1613. Produced at Edinburgh 13th March 1613 by said James Henrysone and registered in the Books of Council by Sir Alexander Hay of Quhitburt, Knight, clerk of the Rolls, Register and Council.

Signet attached in parchment ring, 10th February 1613.

Endorsed are two Executions—(1) dated 8th March 1613, by Andro Hoppringle, messenger, to which John Hay, bailie in Zester, and William Haig, servitor to Philip Lowrie, oistlar in Zester, James Kirkwod, bailie in Hadingtoun, Gilbert Headingtoun, merchant there, and Daniell Steinsone, sone to Thomas Steinsone, smyth in Hadington, are witnesses; and (2) dated 13th March 1613,

by Gabriel Forrest, messenger, to which Mathew Barroun, messenger, and George Montgomerie, post in Edinburgh, are witnesses.

Also Endorsed.—Renunciation by said James Henrysone, tailzeour burgess of Edinburgh, of the above inhibition and has delivered the same to Dame Margaret Ker, Lady Zester, to be destroyed and cancelled. Dated at Edinburgh 11th June 1613. Witnesses, Mr. George Butler and James Tuedie and Thomas Masson.

Written by George Andersone, servitor to Mr. Robert Bisset. (*M.*)

1138. 3rd April 1613. Disposition by William Hay in Yester, with consent of Janet Achesoun, his spouse, in favour of John Lord Hay of Yester, whereby in respect of the sum of 810 merks paid to him by Dame Margaret Ker, Lady Yester, in name of the said John Lord Hay, her son, the said William Hay disponed to the said Lord Hay three husband lands with pertinents, now heritably pertaining to him as heir by provision to the late Andro Hay in Bothanis, his father, lying in the town and territory of Yester, barony thereof, shire of Edinburgh and constabulary of Haddington; which three husband lands were disponed by the late William Lord Hay of Yester, gudeschir to the said John, now Lord Hay, to the said deceased Andro Hay and Marion Cranstoun, his spouse, the father and mother of the granter, under reversion for 500 merks, with a Letter of Tack of the said lands for 15 years after the redemption thereof, for yearly payment of 54 shillings. Also Procuratory of Resignation by the said William for resigning the said lands in the hands of the said John Lord Hay; reserving to the said Marion Cranstoun, his mother, her liferent thereof. At Hadingtoun 3rd April 1613. Witnesses, John Lawder in Dirltoun, John Hay in Newtoun, the granter's brother, William Geddes in Duncanelaw and James Gray, son to James Gray, common clerk of Hadingtoun, writer hereof. (*M.*)

Signed. Paper.

1138A. 5th April 1613. An Instrument of Sasine to Dame Margaret Ker, Lady Yester, and William Hay, her son, of the quarter lands of Linplum called "Maxwellis Quarter," given upon a charter of Mr. William Hay's. Dated 5th April 1613. (*Linplum Inventary*, No. 6, 1617.) (*M.*)

1139. 7th April 1613. Discharge by Jean Hay, relict of James Lauder, servitor to H.M., to Dame Margaret Ker, Lady Yester, and John Lord Hay of Yester, her son, for £95 : 12s. as the price of 9 bolls bear and 9 bolls meill, also for 6 bolls beir and 6 bolls meill, being her pension for the year 1612 granted to her by the late James Lord Hay of Yester. Dated at Cannygait 7th April 1613. Witnesses, Robert Lauder, the granter's son, and Mr. George Butler. (*M.*)

Signed. Paper.

1140. 26th May 1613. Disposition by Mathow Wallange, burgess, indweller of Mussilburgh at the east end thereof, with consent of Elspeth Douglas, his spouse, to Alexander Earl of Dunfermline, Lord Fyvie and Urquhart, grit chancellor of Scotland, and Dame Margaret Hay, his spouse, in conjunct fee and the heirs male lawfully procreate or to be procreate betwixt them, which failing the heirs taillie of the said Earl whatsoever—succeeding to the lands of Pinkie "of that peice of land or taill annexat to that my tenement of land presentlie occupyit be me lyand at the south end of my zaird betuixt the land of the said Earl on the eist, the rig of land or taill pertening to Mr. George Nisbet, scholemaster, and ane common balk lyand betuein on the west, the common Kings streit on the south, and my awin land and zaird separat frome the said peice of taill disponit be me as said is be certane merches

alredie infixt in the ground for separatioun thairof on the north part"—with reservation to the granters of "ane ische and entrie furth at ane zet or dure of foure futtis of breid to be biggit and sett upone the west syde of the merches foirsaid up and doune the said balk in all tymes cumming conforme to auld use and wont without diminutioun of the samine balk in ony tyme heirefter." Holding of the baillies, burgesses and community of Mussilburgh in free burgage for payment of 2 pennies of burrow maill. (Written by James Pincartoun, servitor to George Diksoun, clerk in Mussilburgh.) Dated at Mussilburgh 26th May 1613. Witnesses, Johnne Broun, William Penman, burgesses of the said burgh, Alexander Andersoun, burgess there, the said James Pincartoun and Patrik Clunes, servitor to the said Earl. George Diksone and John Barbour are notaries signing and attesting for Elspeth Douglas. (*M.*)

Signed. Paper.

1141. 26th May 1613. Charter by Mathew Wallange, burgess and indweller of the burgh of Mussilburgh at the east end thereof, with consent of Elizabeth Douglas, his spouse, in favour of Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, Great chancellor of Scotland, and Dame Margaret Hay, his spouse, of that peice rig or tail of his tenement described in No. 1140. Holding from the granter, his heirs and assignees of the bailies and community of the said burgh of Mussilburgh for payment of two pennies yearly of burghal ferme. (Written by James Pincartoun, servitor to George Diksone, clerk of Mussilburgh.) Dated at Mussilburgh 26th May 1613. Witnesses, John Broun, Alexander Andersoun, burgess and indweller of the said burgh, Patrick Clunie, servitor to the said Earl, and the said James Pincartoun, David Hill, officer there. Elizabeth Douglas signs by the said George Diksoun, notary public, and John Barbour, co-notary, attests. (*M.*)

Seals of granters gone.

1142. 9th Sept. 1613. Tack by Master David Ogyll, minister and person of Barra, with consent of the King as patron of the said parsonage, to Dame Margaret Ker, Lady Yester, and after her decease to John Lord Hay of Yester, of the teind sheaves of the personage of the parish kirk of Barro and parish thereof, whereof the said Lady is presently in possession, and she and the Lords of Yester "has possest thir sindrie ages bypast as tactismen thairof to the Abbottis of Halyrudehous," viz., of the toun and lands of Duncanlaw, with corn mylne lands and walk mylne lands thereof, Kirkebanke, Shireffsyde, Walden and Forrestersait, lying in the parish of Barro, sheriffdom of Edinburgh and constabulary of Haddington, for all the space of the said Mr. David's lifetime and for 19 years after his decease, paying yearly therefore the sum of 133 merks, four shillings six pennies Scots at the terms of Lambes on 1st August and of Yule on 25th December in equal portions. At Bothanis 9th September and —— day of —— 1613. Witnesses, Sir William Setoun of Kyllismure, Knight, Mr. Richard Dowglas of Brokehoillis, Mr. George Butler, servitor to the said Lady, James Gray, common clerk of Haddington, and Mr. James Gray, his son, writer hereof. (*M.*)

Signed.

1143. 9th Sept. 1613. Copy of foregoing Tack. (Written by James Frebarn, servitor to Mr. John Paip, W.S.) At —— 9th September 1613. Witnesses not named. (*M.*)

1143A. 9th Sept. 1613. Another band of Mr. David Ogle for consenting to the patronage of the church of Barro to be obteinit be Jo. Lo. Yester or William Hay, his brother, of the dait 9 September 1613. (No. 13, *Inventary of Writs to be made forthcoming by Lady Yester.*) (*M.*)

1143B. Sept. and 14th Dec. 1613. Three several Tacks of the Vicarage of Bara set by Mr. David Ogill, minister at Bara, to Dame Margaret Ker during her lifetime and after her decease to William Hay, her son. (*Linplum Inventary*, No. 13, 1617.) (*M.*)

1144. 14th March 1614. Tack by Maister Theodore Hay, Archdean of Glasgow, person of the parish kirk of Peblis, with consent of the Archbishop, Dean and Chapter of the Cathedral Kirk of Glasgow, to Dame Margaret Ker, Lady Yester, and John Lord Hay of Zester, her son, successive after her, and the heirs-male and assignees of the said Lord Hay whatsoever—of the teinds sheaves and vicarage teinds of the lands of Edderstoun, Jedwartfeild and Cokieland, lying in the parish and shire of Peebles, for the lifetimes of the saids Dame Margaret and Theodore and for 19 years thereafter, for yearly payment of 20 pounds Scots. (Written by James Friebarne, servitor to Mr. John Paip, W.S.). Dated at Edinburgh 14th March 1614. Witnesses, John Nicoll, W.S., Quintene Kennedy and John Quheitt, servants.

The granter's seal with the common seal of the chapter of the Cathedral Kirk of Glasgow are appended, the latter broken and defaced.

The Archdean signs together with the following members of the chapter—Glasgow, consents, Mr. James Steuart, chancellor, Mr. James Hamilton, dean, Mr. Patrik Walkanschaw, subdean, Mr. Wilkine Douglas, M. Birsbane Erskine, M. Cuningham, Cumnok, Mr. James Gillespie, Killery, Mr. William Nesbett, Torbolton, Andro Boyd, Eglisham, J. Hay, Ranfrew, Mr. J. Campbell, Luss, J. M. Bannetyne, Carnwathe, Mr. Patrik Sharpe, Govane, Mr. David Sharpe, Kilbride, W. Birnie, Ayre, secundo, Wheitfurd, Moffett, Mr. Jhone M'Nut, Balanrik, Mr. Johne Blakburn, Cardros. (*M.*)

1144A. 30th March 1614. Sir Archibald Murray's Procuratorie of Resignation of the lands of Templehill in our Soverane Lord's handis in favouris of Dame Margaret Ker, Lady Yester, and William Hay, her son. Daitit the penulte of March 1614. (*Linplum Inventary*, No. 25, 1617.) (*M.*)

1145. 22nd June 1614. Disposition by George Broun of Colstoun in favour of John Lord Hay of Yester, whereby for 600 merks paid to the said George by Dame Margaret Ker, Lady Yester, on behalf of the said Lord Hay, her son, he dispones to the said John Lord Hay his tempilland lying within the town and territory of Duncanelaw, lordship of Yester, sheriffdom of Edinburgh and constabulary of Haddingtoun, with all the pertinents belonging thereto, as specified in the infeftment thereof made to the late Patrick Broun of Colstoun, father of the said George, by James Tennand of Linhous and Mr. Robert Williamsone of Mureistoun, as Commissioners for James Lord of Torphichen; and binding himself to infeft him therein by two manner of holding, viz., of the granter, and of the superior for the duties specified in the old infeftments thereof; containing also Procuratory of Resignation for resigning the said land in the hands of the said James Lord Torphichen, superior thereof, for new infeftment to be given to the said Lord Hay. (Written by Mr. James Gray, son to James Gray, common clerk of Hadingtoun.) At Hadingtoun 22nd June 1614. Witnesses, Patrick Broun, one of the bailies of Hadingtoun, Mr. James Cokburne and Richert Broun, burgesses there, the said James Gray and Mr. James and Gilbert Grays, his sons. (*M.*)

Signed.

1146. 22nd June 1614. Instrument of Resignation by John Broun, brother german of George Broun of Colstoun, for resigning the tempilland of Duncanlaw described in No. 1145 in the hands of his said brother, as his superior thereof; Richard Broun, burgess of Hadingtoun, is procurator for the said John, by virtue of Procuratory contained in Disposition No. 1070. In-

strument dated 22nd June 1614. Witnesses, Mr. James Cokburne of Wester Monkrig, Patrike Broun and Gilbert Gray, burgesses of Hadingtoun, and John Robesoun, servitor to the said George Broun. James Gray and James Gray, his son, are notaries. (*M.*)

1146A. 8th Aug. 1614. Item, ane Charter be the said father to the sone of the saids lands to be haldin of himself, 8 August 1614.

Item, the Instrument of Sasing givin be the said father to his sone *propriis manibus* of the said lands. Archbald Franck, notar. 8 August 1614 (Nos. 41 and 42, *Sheillgrein Inventory.*) (*M.*)

1146B. 2nd Sept. 1614. Item, ane charter be the said Alexander Horsburt, younger, to the Lady Yester of the saids lands, daitit 2 September 1614.

Item, ane Instrument of Sasing conform to the said charter, daitit 8 September 1614. Archbald Franck, notar.

Item, ane uther Instrument of that same tenor and daitt. (Nos. 43, 44 and 45, *Sheillgrein Inventory.*) (*M.*)

1146C. 9th Sept. 1614. Item, Letters of Inhibition registrat at her instance against Horsburt elder upoun his richt of the saids lands, 9 September 1614. (No. 47, *Sheillgrein Inventory.*) (*M.*)

1146D. 7th Dec. 1614. Item, ane Letter of Tak be the said Lady to the said Alexander Horsburt of the saids lands, 7 December 1614. (No. 46, *Sheillgrein Inventory.*) (*M.*)

1147. 8th Dec. 1614. Discharge by Dame Margaret Ker, Lady Yester, to John Lord Hay, her son, of £500, being the annualrent of £5000 for the years 1610-14 inclusive, since death of the said James Lord Hay of Yester, which was on 3rd February 1609, assigned by Alexander Earl of Dunfermline to William Hay, second lawful son of the granter—which £5000 is part of £20,000 of tocher contained in Contract of Marriage between the said Earl, on the one part, and the late James Lord Hay of Yester and the said Dame Margaret Ker, taking burden on them for Margaret Hay, their daughter, now spouse to the said Earl, on the other part: which tocher was secured by an annualrent of £2000 over the lands, lordship and living of Yester. Which sum of £500 the said Dame Margaret Ker had received on behalf of her said second son and applied to his affairs upon his "education and upbringing at the scoles" and otherwise. (Written by James Gray, son to James Gray, common clerk of Haddington.) Dated at Bothans 8th December 1614. Witnesses, the said James Gray and Mr. James Gray, his son. (*M.*)

Signed. Paper.

1148. 10th Dec. 1614. Testament of Alexander Horsburght, younger, fear of that Ilk, whereby having special regard to the weill of Alexander Horsburght, his son and apparent heir, and of Margaret Horsburght, his daughter, both lawfully procreated between him and umquhile Jane Hay, his spouse, and of their education and upbringing, he nominates John Lord Hay of Zester, Dame Margaret Ker, Lady Zester, his mother, and Sir Robert Stewart of Schillielaw, Knight, conjunctly or any two of them "being on life incaice of the deceis of the thrid or ony ane of thame in caice of the deceis of the uther twa" to be executors to him for ingathering his whole goods, geir, etc., to the use and utility of his said bairns, and also to be tutors testamentars to them until their perfect age, and leaves all his moveable goods, etc., to his said daughter. (Written by James Gray, common clerk of Hadingtoun.) At Hadingtoun 10th December 1614. Witnesses, the said James Gray, notary public, and Mr. James Gray, his son. (*M.*)

Signed. Paper.

1149. 16th Dec. 1614. Tack by Sir James Stewart of Kylleith, Knight, principal taksman of the earldom of Orkney and lordship of Zetland, to Alexander Earl of Dunfermline of the teinds, fruits rents, imposts as well by sea as land, in fish, silver, salt or other casualities and duties of all boats, creavis or other vessels pertaining to whatsoever persons indwellers, fishers and inhabitants within the bounds of the lordship and regality of Mussilburgh shyre, haunting and repairing or who have haunted or repaired for fishing within the whole bounds of the said earldom and lordship of Orkney and Zetland, or ony part thereof, by sea or land callit dogeris—for the space of 9 years from Martinmas 1613, paying yearly therefor £40 Scots. (Written by Thomas Bigholme, servitor to John Ros, writer.) Dated at Edinburgh 16th December 1614. Witnesses, Mr. James Raithe and Thomas Drysdaill, servitors to the said Earl.

Note.—The granter's appointment as principal tacksman is dated at Quhythall 22nd April 1614 and runs for the like space of 9 years. (*M.*)

Signed. Paper.

1149A. 18th Dec. 1614. A Contract made be James Lo. Yester and Dame Margaret Ker, on the one part, and the said Mr. Ard. Douglas, on the other part, for setting the forsaid taks, dattit the 18 of December 1614. (No. 10, *Inventory of Writs to be made forthcoming by Lady Yester.*) (*M.*)

1150. 19th Jan. 1615. Acceptance by Mr. Mungo Rig of Carbarrie of a Tack granted to him by Alexander Earl of Dunfermline of the 10th laid of coal of Carbarrie great and small lying in the lordship of Mussilburgh, regality of Dunfermline and shire of Edinburgh for the space of 19 years—paying yearly therefor 5 merks. (Written by Mr. John Paip, younger, writer in Edinburgh.) Dated at Edinburgh 18th January 1615. Witnesses, Mr. John Drummond, Mr. Johne Hay, Alexander Inglis and Thomas Drysdaill, servitors to the said Earl. Acceptance written by said Mr. John Paip, younger, dated at Edinburgh 19th January 1615. Witnesses, the said Mr. John Paipe, Mr. James Raithe of Mylnehill and Thomas Drysdaill, servitors to the said Earl. (*M.*)

Signed. Paper.

1151. 16th May 1615. Sasine in implement of Contract of Mariage between David Sympsone, indweller in the town of Newbigging and burgess of Mussilburgh, for himself and taking burden on him for James Sympson, his son, on the one part, and Thomas Hodge, burgess and indweller in the said burgh, for himself and taking burden upon him for Marion Hodge, his daughter, and she for herself, on the other part, of date of these presents; whereby the said David Sympsone resigns his tenement of land lying in the liberty of the said burgh and in the said town of Newbigging on the east side thereof between the tenement of land of John Andersoune on the north and the common vennell or High Street on the south, in the hands of William Penman, one of the bailies of the said burgh, in favour and for new infeftment to be given thereof to the said James Sympsone and Marion Hodge, his future spouse, which failing to the lawful and nearest heirs of the said James whatsoever. Done on the ground of the said tenement about the hour of 9 a.m. 16th May 1615. Witnesses, William Duncane, another of the bailies of the said burgh, Edward Broun, burgess there, Cuthbert Murray, tailor, indweller in the town of Inneresk, John Broun, weaver, indweller in the town of Newbigging, James Pincartoun, servitor to George Diksoune, clerk of the said burgh, and James Wilsone, officer there. George Dikson, clerk of the diocese St. Andrews auct. reg., n.p. (*M.*)

1152. 16th May 1615. Charter by David Symsoun, indweller in the toun of Newbigging, burgess of Musselburgh, in favour of James Symsoun, his son, and Marion Hodge, his future spouse, of the tenement described in preceding Sasine. Holding from the granter of the baillies of the said burgh in heritage and free burgage—for payment of burghal ferms and annual-rents used and wont. (Written by James Pincartoun, servitor to George Diksoune, clerk of the said burgh.) Dated at Mussilburgh 16th May 1615. Witnesses, Edward Broun, James Wilsoun, David Hill, burgesses of the said burgh, and the said James Pincartoun. (*M.*)

Signed. Seal gone.

1152A. 25th July 1615. Item, Letters of Horning at the said Lady Yester her instance upoun ane decreet against William Stodart to remove frae the said lands, 25 July 1615. (No. 48, *Sheiligren Inventory.*) (*M.*)

1153. 18th Nov. 1615. Charter by Alexander Home of Sanct Leonardis in implement of a Contract of Marriage between Dame Helen Cokburne, Lady Linplum, for herself and taking burden on her for Jean Hepburne, her sister's daughter, on the one part, and the said Alexander Home for himself and taking burden on him for Alexander Home, his eldest lawful son and apparent heir, on the other part, of date at Lymplum 6 Nov. 1615, granting to the said Mr. Alexander Home and Jean Hepburn, his future spouse, his carucate of land of Barow extending to four husband lands or thereby, viz.:—that half carucate of land held by the late Alexander Coci and that half carucate of land which was of old held by the late Adam Lumbard, and four particates of peats in Cambestrodir now called Crumbesyde myre, lying in the town and territory of Barow, barony of Duncanelaw, shire of Edinburgh and constabulary of Haddington. Holding from the granter of John, now Lord Hay of Yester, in fee and heritage. Paying yearly for the first named half carucate one penny in name of feu or blench ferme, and for the other half carucate one pound pepper or twelve pennies. At Edinburgh 18th November 1615. Witnesses, Robert Lauder, Writer to the Signet, Andrew Manson and Ninian Garven, his servitors, and Richard Mosman, notary, writer of the deed.

Signed.

Endorsed is ratification of foregoing Charter by John Lord Hay of Yester, dated at —— the —— day of —— 1619. (*M.*)

Witnesses' names not entered and ratification unsigned

1154. 18 Nov. 1615. Charter by Alex. Home of Sanct Leonards in favour of Mr. Alex. Home, his eldest lawful son and apparent heir, and Jean Hepburn, his spouse, of the lands called the Mayland, with mansion house, etc., lying in the town and territory of Barrow, holding from the granter of Thomas Viscount Fenton, now Lord Pittenweem, in feuferm for yearly payment of 10s. Scots. Written by Richard Mosman, notary public. At Edinburgh 18 Nov. 1615. Witnesses, Robert Lauder, W.S., Andro Manson and Ninian Garvin, his servants, and the said Richard Mosman. (*M.*)

Signed.

1155. —— 1615. Tack by John Lord Hay of Yester to George Carfrae, son to Christian Wadderstoun in Yester, of two husband lands of the lands and lordship of Yester presently occupied by said George, for 19 years, for yearly payment, at the place of Bothanis, of 6 bolls beir and 8 bolls oatmeal measure of Haddington for each of the said husband lands, 6 kane fowlls, 2 days harrowing and a shearer daily in harvest, also to cast win and lead hame with the other tenants of the lands and lordship of Yester to the place of Bothans, so much fuel and elding as shall correspond to the rent of the said lands. (Written by James Douglas, servitor to Andro Hay, W.S.) (*M.*)

Date and witnesses' names blank. Not signed. Paper.

1156. 1615. Noate of moneys paid for Mr. Haig and geuen him since 1615:—

Payed Mr. J. Drummond, - - -	2000 merks.
To on Muddy first Scotland, - - -	1500 ,,
Geven him tolbuith, - - - -	400 ,,
Geven him to goe England, - - -	200 ,,
Geven him beir, - - - - -	1000 ,,
Geven him Will Dick, - - - -	100 ,,
Geven him Thomas Addinston, - -	100 ,,
Geven him to London, - - - -	115 ,,
Geven him Mr. George Butlar, - - -	200 ,,
Geven him, - - - - -	666 : 13 : 4. (*M.*)

1157. 18th Jan. 1616. Instrument of Sasine on Charter No. 1153. Done on the ground of the said lands between the hours of 3 and 4 p.m. 18th January 1616. Witnesses, William Broun, George Geddes, William Bartrum and Thomas Adisoun, indwellers in the town of Barro. Mr. James Gray, notary public, clerk of the diocese St Andrews a.r. et p.d.c. (*M.*)

1158. 18th Jan. 1616. Instrument of Sasine proceeding upon the foregoing Charter (No. 1154). Dated 18th January 1616. Witnesses, William Broun, George Geddes, William Bartrum and Thomas Adisoun, indwellers in the town of Barro. George Bowmaker, servitor to Lady Linplum, is attorney for Jean Hepburne and Mr. James Gray is notary. (*M.*)

1159. 13th April 1616. Instrument of Resignation by Thomas Viscount Fentoun, Lord Dirltoun, as procurator for Alexander Earl of Dunfermline, by procuratory of date ——, for resigning the earldom and lordship of Dunfermline, as described in the said Earl's infeftment under the Great Seal, dated at Roystoun 16th April 1611; also the teind sheaves of the lands, etc., pertaining to the said Earl in the parish of Fyvie, mentioned in the infeftment under the Great Seal to him of date at Edinburgh 17th November 1614, with Kirktoun of Fyvie, Priormylne, Myrredyikis and Brigend; and likewise the said Viscount, by virtue of procuratory from John Seytoun of Auchortie of date 11th August 1615, resigned the lands and barony of Mynnes, comprehending the lands of Mynnes, Crabiedonoche, Achlowne and Tullyrie, with mills, etc., lying by annexation in the sheriffdom of Aberdeen, in the hands of the King as superior, for new infeftment thereof to be given under the Great Seal to the said Earl and the heirs-male of his body, which failing to his heirs-male and of tailzie bearing the sirname and arms of Seytoun. Done in H.M. bedchalmer at Newmercatt at 6 p.m. 13th April 1616. Witnesses, Phillip Erle of Montgumrie, John Vicount of Hadingtoune, Thomas Lord Binning, secretar to the King in Scotland, Patrick Mald of Panmuir, John Murray, Robert Hay and Bernard Lindsay, all gromes of His Hienes bedchalmer. Mr. John Hay and Mr. James Raith are co-notaries. (*M.*)

1160. 13th April 1616. Crown Charter of Novodamus in favour of Alexander Earl of Dunfermline of the earldom and lordship of Dunfermline, comprehending the lands as described in the infeftment of the said earldom of date 6th April 1611 (No. 1096); also the teinds of the lands and others contained in the said Earl's infeftment of 17th November 1614. (See Reg. Mag. Sig., xlviii, 125.) At Newmarket 13th April 1616, recorded 18th July 1616. (*M.*)

1161. 13th April 1616. Precept following upon foregoing Charter in favour of Alexander Earl of Dunfermline; directed to the Sheriffs of Fife. Given under the Testimonial of the Great Seal at Newmarket 13th April 1616. (*M.*)

1162. 27th June 1616. Sasine following upon No. 1160, dated 27th June 1616. George Bothowell of Hauchis is attorney for the said Earl. Witnesses, Mr. William Patoun, minister at Dalgitie, Patrick Couper, burgess of Dunfermling, James Kellok, portioner of Maistertoun, Alexander Donaldson and John Henriesoun in Dalgitie, Henry Stevinsoun in Lytill Fordell, and Alexander Bell in Barnehill. Mr. James Kinghorne and Mr. David Kinghorne, his son, are co-notaries. Thomas Wardlaw of Logye, Sheriff of Fife, is bailie.

1163. 29th Nov. 1616. Disposition by Patrik Murray of Perdewis, son and heir served and recognosced to the late James Murray of Perdewis, with consent of Dame Agnes Lindsay, his mother, liferenter of the subjects underwritten, and William Bruce of Erlshall, now her husband, in favour of Sir William Seatoun of Kylismure, Knight, and his heirs-male and assignees whatsoever, of that tenement of land and ludging with the entry and close of the same lying in the burgh of Dunfermling, in the common street thereof called Maygait, betwixt the common gaitt vennell and passage under the wall on the east, the kirkyard of the said burgh on the south, the lands of John Drysdaill on the west, and the King's street on the north, and that other waste tenement of land now decayed "nocht erectit and biggit" lying on the east side of the foresaid tenement and ludging, betwixt the lands of the heirs of the late Hector Breadhead on the north, and the lands of the heirs of umquhile Henrie Deas on the east, and the said passage under the wall on the south and west parts. All lying within the freedom of the burgh and regality of Dunfermline and shire of Fife. The said Patrick Murray binding himself to obtain infeftment thereof from the provost and bailies of Dunfermline and thereafter to resign the same in their hands for new infeftments to be given thereof to the said Sir William Seatoun. To be held in free burgage for payment of the burgh maills used and wont, for which latter infeftment David Stewart, burgess of Dunfermline, is constituted bailie. (Written by Mr. David Kingorne, n.p.) At Erlshall 29th November 1616. Witnesses, Mr. Alexander Henrisoun, minister of the Evangeill at the Kirk of Lewquharis, Robert Ramsay, brother german to David Ramsay of Brackmont, Mr. Thomas Craig, scholemaster at Lewquharis, and the said Mr. David Kinghorne.

Signed. Paper.

1163A. 29th Nov. 1616. Item, Dispositione be the said Patrick Murray (of Perdewes) to Sir William Seton of Kyllsmure and his aires meall of the said great Lodging and the oyr weast tennement mentioned. Dated the penult day of November 1616 years. (*Inventary of Writts of the great Lodging in Dunfermline*, 1699, No. 8.)

1164. 11th Dec. 1616. Instrument of Sasine by David Stewart, burgess of Dunfermline, as procurator for Patrick Murray of Perdewis, in implement of a Letter of Obligation by the said Patrick, with consent of Dame Agnes Lyndsay, his mother, frank tenementar of the tenement underwritten, and William Bruce of Erlishall, her husband, to Sir William Seytoun of Kylismure, Knight, registered in the Books of Council, of date at Erlishall 29th November last, and for certain sums of money paid by the said Sir William to the said Patrick at the time of the making of the said Obligation, the said David Stewart as procurator foresaid resigned the subjects described in No. 1163 in the hands of Patrick Cowper, one of the bailies of the said burgh, as superior, for new infeftment thereof to be given to Mr. Thomas Wardlaw of Logie as attorney for the said Sir William Seytoun. Done on the ground of said subjects about the hour of 10 a.m. 11th December 1616. Witnesses, Patrick Stewart of Baith, Thomas Stevinsoun in Turnourishill, James Kingorne, clerk of the regality of Dunfermline, Mr. David Kingorne, his son and heir apparent, George Walker, John Wricht and William Broun, burgesses of the said burgh. John Pirrhie, clerk of the diocese of Glasgow, n.p. a.r. per. d.c.

1165. 11th Dec. 1616. Instrument of Sasine given by Patrick Cowpar, one of the bailies of the burgh of Dunfermling, to Patrick Murray of Perdewis as only son and lawful and nearest heir of the late James Murray of Perdewis, his father, of the subjects described in No. 1163, conform to Contract No. 762. Done on the ground of said subjects about the hour of 9 a.m. 11th December 1616. Witnesses, Patrick Stewart of Baith, Mr. Thomas Wardlaw of Logie, Thomas Stevinsoun in Turnourishill, James Mochrie, another of the bailies of the said burgh, David Stewart, James Kingorne, Mr. David Kingorne, his son and heir apparent, George Walker and William Broun, burgesses of the said burgh. John Pirrhie, clerk of the diocese of Glasgow, n.p. a. r.p.d.c.

1165A. 11th Dec. 1616. Sir William Seton's Sasine following thairupon (No. 8), dated the 11th day of December 1616. John Pirrhie, nottar thairto. (*Inventary of Dunfermline Writts*, 1699, No. 9.)

1166. c. 1616. Rentall of Snaid fermes.

The dewties of the Snaid the ferme 1616.

Item the Mill xv bollis at ten pound the boll sewinschoir ten lib.

The Bordland alewin bolls pryce foirsaid ane hundereithe ten lib.

Compstoune ten bollis meill pryce foirsaid an hundreth thrie.

The Straith xij bolls pryce foresaid sax scoir lib.

The haill fortte awche bolls meill extending in sillver to xxiiij scoir pound quhairof I have out of the Straith four boll meill pryce thairof fortie lib.

So rest xxii schoir lib.

The maill 1617.

Item the thrie pond land of Lagand	xij lib.
Item the Brykandsyd	3 lib.
The fortie s. land Aichinfadderyk	vj lib.
The twa markland	liij s iiijd.
The Bouse	xxvjs. viijd.
Moffatstoune	xxvjs. viijd.
The four markland of Witstoune and mills	v lib. vjs. viijd.
The fortie penny land	vjs. viijd.
The xxs land of Snaid	x lib.
The Schaw	x lib. xiijs. iiijd.
Gillmerstoune	viij lib.
Gorderstoune	xxxiijs iiijd.
Garrochstoune and Kidstoune	xxvjs. viijd.
Soma in schoir	iijlib. xiijs. viijd.
Soma the haill	vc iij lib. xiijs. iiijd.

Endorsed.—The mill possessed by Andro Cwninghame is set for 15 bs. meill.

Bordland being a 20s. land possessed be Jhon Tagart payes xi bolls meill.

The 30 sh. land of Comestoun possessed be James M'Couell and John Hupes payes ten bolls meill.

Ane 10 sh. land of Straith possessed be Andro Cwninghame the bailzie payes 4 bolls meill.

Ane other 10 sh. land of Streth possessed be Andro Cwninghame of Birkshaw—4 bolls meill.

Ane other 10 sh. land of Streth possessed be Edward and Jhon Makgownes —4 bolls meill.

Mailles.

Lyfrent Tack b. 19 yeare tack. 3 pund land of Lagan possessed be Andro Wilsone and Malcolme Darumpill of Watersyd 12 lib.

The 20 sh. land of Brakinsyd possessed be Ninian Fergusone and Jhon Wallace—3 lb.

Lyfrent tacks b. 19 years' tack. The 40 sh. land of Auchinfedrike possessed be Jhon Mulligan and Andro M'Couell Edward and Jhon M'Gownes—6 lb.

The 2 merkland possessed be Jonet Fergusone and Margaret Smythe—53s. 4d.

19 year tack. The merkland of Moffetstoune occupied be Malcolme Darimpill of Watersyd—26s. 8d.

The markland of the Busse occupied be Edward Haliday—26s. 8d.

f. 19 yeare tack. The 4 merkland of Cotstoune and Kewlstone possessed be Andro Cuninghame in Garistoune.

The markland of the Shaw possessed be James Cunynghame and his mother—10 lib. 13s. 4d.

g. g Lyfrent tack. The markeland of Gilmestoun possessed be Gilbert Greir and Agnes Maxwell—8 lib.

The twa merkland and half of Goristoun is possessed be Jhon Kirko and Jhon Cairnes that payes to my Lo. Sanquhair—100 lib.

The markland of Garochstoune and Kidstoune possessed be Jhon . . . payes 26s. 8d.

The 20 sh. land of Snaid possessed be Andro Cuninghame, bailze—10 lib.

A fourtie pennie land that lyes to ane mill possessed be the miller—6s. 8d.

The 40 sh. of Dardaroch possessed be Andro Cuninghame of Birkshaw—. . . lib.

The 10s. land of Wallacetoun possessed be the said Andro—4 lib.

The 10s. land of Clarenstone possessed be William Richartsone payes . . .

The 2 merkland of Dardarroch.

The 40 sh. land of the Shaw.

The 3 merkland of Fleuchlarg.

1167. 13th Jan. 1617. Extract Registered Assignation by Robert Douglas in Scottiscraig to Robert Durie of that Ilk, and Elizabeth Bruce, his spouse, of the teind sheaves of the mains of Balgonie, Mylntoun of Balgounie, lands of Treattoun, Balfour and Camerone, lying in the parishes of Markinch and Kennoquhie and shire of Fife, for the year 1617 and other years yet to run of a Tack set by the late Sir George Douglas of Helenhill, Knight, his father, with consent of Sir George Ramsay of Dalhowssie, Knight, and Dame Margaret Douglas, his spouse, to the said Robert Douglas for the space of the said Sir George's lifetime, and that of two heirs successive, and thereafter for the space of 19 years, dated at Dalhousie 27 June and at Leith 9 July 1603; and of another Tack by the said Sir George Ramsay and his spouse to said Robert Douglas, dated at Place of Kirktoun 12 January 1617, ratifying the former Tack; and that in respect of certain sums of money paid by the said Robert Durie to the said Robert Douglas. (Written by John Glasfuird.) At Cowpar in Fife 13 January 1617. Witnesses, William Bruce of Erlishall, Mr. William Scott, minister of the said burgh of Cowpar, and Harie Landills of Wester Kilmiris. Registered at Edinburgh 20 December 1632. (Sgd.) Alexander Gibsone.

Paper.

1168. 1st March 1617. Renunciation by John Broun, Walter Broune, William Penman, elder, George Andersoun, Walter Smart, Alexander Andersone, William Adamsone, Jean Blackhall, Alexander Wrycht, Thomas Andersoun, Thomas Wrychtt, William Scott, William Duncan, Richard Scott, Richard Allane, Margaret Smart, Bessie Caldirwood, Geillis Johnestoun, Bessie Warnour, Jonet Thomsoun and Elspeth Johnestoun, tenants of the lands of Pinkie, in favour of Alexander Earl of Dunfermline of that piece of land called the Kerse of Pinkie, lying "be eist" the said Earl's orchard and yairds of Pinkie to the Commonty of Mussilburgh, on the south, north and east side thereof, for which the said Earl discharges them of the annual feu duty of 80 merks. At Pinkie and Mussilburgh, 28th February and 1st March 1617. Witnesses, Patrick Clunes, Gawane Duncane, Mr. James Inglis, Mathow Wallanghe, notary, David and Archibald Thomsounes, brothers german, in Fischerraw. James Pincartoun, notary, subscribes for the seven last mentioned tenants because they cannot write.

Signed. Paper.

1169. 28th and 29th April 1617. Charter by James Symsone, son lawful of David Symsone in Newbigging, burgess of Mussilburght, and Marion Hodge, his spouse, in favour of Alexander Earl of Dunfermline, Lord Fyvie and Urquhart, great Chancellor of Scotland, and Dame Margaret Hay, his spouse, and the heirs-male lawfully procreate or to be procreated between them, which failing to the heirs-male of the said Earl succeeding to him in the said Earldom and lands and palace of Pinkie, heritably of a tenement of land back and fore, under and above, with houses, biggings, *lie* Steipstane and yard thereof, lying in the liberty of the burgh of Mussilburgh and town of Newbigging on the east side thereof between the tenement of land of John Andersone on the north and the common vennel or High Street on the south, holding of the Queen and her successors, Ladies of Dunfermline, in fee and heritage. Paying the burgal fermes used and wont and to the community of the burgh of Mussilburgh 8s. Scots at two termes yearly in name of annual rent. (Written by Mr. John Paip, younger, writer in Edinburgh.) Dated Edinburgh and Mussilburgh 28th and 29th April 1617. Witnesses, Mr John Papis, elder and younger, Alexander Inglis of Rattinraw, Mr. James Inglis and James Espleine, servitors to the said Earl, witnesses to subscription of the granter, and Robert Bennett, younger, Daniel Thomsoun, James Youngar, burgess of the said burgh, and George Newtoun, elder, in Newbigging, witnesses to the subscription of Marion Hodge, who subscribes by James Pincartoun, notary, because she cannot write. Richard Bennett, co-notary, attests.

Signed. Seal gone.

1170. 28th-29th April 1617. Disposition by James Symsone, son lawful to David Symsone in Newbigging, burgess of Musselburgh, whereby for 1000 merks he with consent of Marion Hodge, his spouse, dispones to Alexander Earl of Dunfermline and Dame Margaret Hay, his spouse, and the survivor of them in conjunct fee, and to the heirs-male lawfully procreate or to be procreate between them, which failing to the heirs-male succeeding to the said Earl in the Earldom of Dunfermline, his lands and palace of Pinkie, of the subjects, described in No. 1169, which they by the hands of Patrik Clunes, burgess of Musselburgh, their procurator, resign in the hands of Ann, Queen of Great Britain, Lady of Dunfermline, for new heritable infeftment thereof to be given to the said Earl, his spouse and their heirs foresaid ; and said James Symsone binds himself to cause said Marion Hodge, his spouse, compear before the bailies of Musselburgh, outwith his presence, to ratify the same and renounce all right she had, has or may have to said tenement and assigning Contract No. 986. Dated at Edinburgh and Musselburgh 28th and 29th April 1617. Witnesses, Alexander Inglis of Rottinraw, Mr. James Inglis, servitor to the said Earl, Mr. John Paip, elder and younger, writers in Edinburgh, and James Esplane, servitor to the said Earl. Robert Bennett, younger, Daniell Thomsoun, James Youngar, burgesses of Musselburgh, and George Newtoun, elder in Newbigging. Marion Hodge signs by James Pincartoun, notary ; attested by Richard Bennett, co-notary.

Endorsed is Extract from Court Book of Mussilburgh, dated 29th April 1617, of Minute of Ratification of said Disposition by Marion Hodge, of which Patrick Clunes, servitor to the Earl of Dunfermline, asked instrument. Signed James Pincartoun.

Paper.

1171. 7th May 1617. Discharge by James Symsone, burgess of Mussilburght, indweller in Newbigging, to Alexander Erle of Dunfermline, etc., Lord Chancellor of Scotland, of 310 merks in complete payment of 1000 merks, which the said Earl agreed to pay to him for the heritable disposition of his tenements of land in Newbigging, conform to Contract of Alienation between them. (Written by Mr. James Inglis, servitor to the said Earl.) At Edinburgh 7th May 1617. Witnesses, Alexander Inglis of Rattonraw, the said Mr. James Inglis, Robert Quhyt, servitors to the said Earl.

Signed. Paper.

1172. —— May 1617. Resignation by Mr. John Nisbet, lawful son of Mr. George Nisbet, Master of the Grammar School of Mussilburgh, with consent of his said father, and taking burden on him for his said son and Euphan Douglas, his spouse, to Alexander Earl of Dunfermline and his heirs-male succeeding to him in the said Earldom, and to his lands and manor place of Pinkie, of an annual rent of £4 disponed by the late John Tempill, burgess of said burgh, with consent of Margaret Hardie, his spouse, to Jonat Thomson, spouse to John Douglas in Inneresk, out of that tenement of land back and fore, with yard, etc., lying within the liberty of the said burgh of Musselburgh, in the town of Newbigging at the east side thereof, between the land of Thomas Anderson on the north, the common Vennell on the south, the common passage passing from the said burgh on the east, and the King's common "yett" on the west; in which annual rent the late John Douglas, eldest lawful son and heir of said Jonet Thomson, being infeft as heir to his mother, and also Robert Douglas, brother to the said John, being infeft therein as heir to his said brother; and the said Mr. George Nisbet and his said spouse in liferent and their said son in fee, being infeft therein on Resignation by said Robert Douglas; understanding that the said Earl is now infeft in the said tenement, and he having paid to the saids John and George Nisbets the sum of £40 as the redemption price of said annual rent, they therefore resign the same to him. (Written by Mr. William Paip, son to Mr. Robert Paip, advocate in Aberdeen.) Dated at Musselburgh —— May 1617. Witnesses not mentioned in testing clause, but James Inglis, Mathew Wallange and P. Bennett sign as witnesses.

Paper.

1173. 3rd June 1617. Tack by John Lord Hay of Yester to Patrick Kemp in town of Yester of these 2 husband lands of the lands and barony of Duncanlaw, presently occupied by John Paxtoun in Gamelstoun, lying in the lordship of Yester, for 19 years from Whitsunday 1617, paying yearly 3 bolls 3 firlots beir, 10 bolls one firlot oatmeal, 6 kane fowls, 2 days' harrowing and one shearer daily in harvest, with proportional casting, winning and leading fuel. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at Edinburgh 3rd June 1617. Witnesses, James Hay, John Hereis and James Dicksoun, servitors to the said Lord, James Douglas and said John Burnet, servitors to said Andro Ker. Patrik Kemp signs by Robert Weir, notary, attested by A. Hay, co-notary.

Signed. Paper.

1174. 6th June 1617. Tack by John Lord Hay of Yester to Richard Kemp in the town of Yester of these two husband lands of the lands and barony of Duncanlaw presently occupied by Barnard Ayttoun lying in the lordship of Yester, for 19 years from Whitsunday 1617, paying yearly 3 bolls 3 firlots beir and 10 bolls 1 firlot oatmeal and 6 kane fowls, with 2 days' harrowing and one shearer daily in harvest and proportional casting, winning and leading of fuel. (Written by James Douglas, servitor to Andro Hay, W.S.) Dated at Edinburgh 6th June 1617. Witnesses, Mr. William Haig, James Hay, servitor to said Lord John Burnet, and said James Douglas, servitor to said Andro Hay. Richard Kemp signs by Robert Weir, notary, attested by A. Hay, co-notary.

Signed. Paper.

1175. 7th June 1617. Tack by John Lord Hay of Yester to David Dicksoun in the town of Yester of a husband land of the lands and lordship of Yester, for the space of 19 years from Whitsunday 1617, for yearly payment of 3 bolls beir and 4 bolls oatmeal, 6 kane fowls, 2 days' harrowing and one shearer daily during harvest, casting, winning and leading, so much fuel and elding as shall correspond to the rent of said land. (Written by John Burnet, servitor to

Andro Hay, W.S.) Dated at Edinburgh 7th June 1617. Witnesses, James Hay and John Hereis, servitors to the said Lord, James Douglas and John Burnet, servitors to said Andro Hay. David Diksoun signes by Robert Weir, notary, attested by A. Hay, co-notary.

Signed. Paper.

1176. 7th June 1617. Tack by John Lord Hay of Yester to George Wadderstoun in the town of Yester of 2 husband lands of the lands and lordship of Yester presently occupied by himself, for 19 years from Whitsunday 1617, also that house and piece land in Yester extending to an acre of land presently occupied by himself; paying yearly for each of said husband lands 3 bolls beir, 4 bolls oatmeal and 6 kane fowls, with 2 days' harrowing and a shearer daily in harvest, and for the said house and acre the yearly services used and wont. (Written by James Douglas, servitor to Andro Hay, W.S.) Dated at Edinburgh 7th June 1617. Witnesses, James Hay and John Hereis, servitors to said Lord, John Burnet and said James Douglas, servitors to said Andro Hay. George Wadderstoun signs by Robert Weir, notary, attested by A. Hay, co-notary.

Signed. Paper.

1177. 10th June 1617. Tack by John Lord Hay of Yester to Thomas Yorkstoun in Duncanlaw of that husband land and Coitland of the lands and barony of Duncanlaw presently occupied by said Thomas lying in the lordship of Yester, for 19 years from the date hereof, paying yearly 3 bolls beir and 4 bolls oatmeal, 8 kane fowls, 2 days' harrowing and one shearer daily in harvest, and casting, winning and leading fuel in proportion. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at Edinburgh 10th June 1617. Witnesses, James Dickson and James Hay, servitors to the said Lord, James Douglas and said John Burnet, servitors to said Andro Hay. Thomas Yorkstoun signs by Robert Weir, notary, attested by A. Hay, co-notary.

Signed. Paper.

1178. 10th June 1617. Tack by John Lord Hay of Yester to Thomas Kemp in Duncanlaw of 2 husband lands and Coitland of the land and barony of Duncanlaw presently occupied by said Thomas lying in the lordship of Yester, for 19 years from date hereof, paying yearly for each of said husband lands 4 bolls beir and 1 boll oatmeil with 6 kane fowls; and for the Coitland 6 firlots beir and 2 kane fowls; also 2 days' harrowing and one shearer daily in harvest, and proportional service of casting, winning and leading fuel and elding. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at Edinburgh 10th June 1617. Witnesses, James Dicksoun and James Hay, servitors to said Lord, James Douglas and said John Burnet, servitors to said Andro Hay. Thomas Kemp signs by Robert Weir, notary, attested by A. Hay, co-notary.

Granter's signature torn away. Signed. Paper.

1178A. 2nd July 1617. Item, ane Dispositione be James Tuedy of Drumelzear to Johne Murray of Halmyre and Jonet Howlisone, his spous, of ane annual rent of 36 libs. money to be uplifted furth of the landis and baronie of Drumelyear, daittit 2 July 1617. Item, ane Chartour following thereupon and for implement thereof be the said James Tuedy to the said Jon Murray and his spous, etc., 2 July 1617. Item, ane Instrument of Seasing following, etc., 5 July 1617. Mr. Francis Hay, notar, and registered 28th August by the said Francis Hay, deput keiper of the Generall Register of Seasings. (Items 30 31 and 32, 1674, *Drumelyier Inventory.*)

1178B. 2nd July 1617. Ane Disposition of Horsburt elder his richt to his sone conteining procuratorie of Resignatione of the lands of Sheillgreine, 2 July 1617. (No. 40, *Sheillgreine Inventory.*)

1178C. 7th July 1617. Precept of Clare Constat granted be John Lord Hay of Zester for giving seising to William Sincler of 3 husband landis of Blaus haldin as said is of the said noble Lord, of dait 7th July 1617. Bond by John Lord Hay of Zester to William Sincler of Blaus for receaving him or any persone to whom it sall happin him dispone the said thrie husband landis vassell thairintill, of the dait 7th July 1617. *Nota.*—This Band contains a discharge of the few dewtie of the said thrie husband landis for the crop and yeir of God 1616. (Nos. 5 and 6, *Minute of Writs of Blauss.*)

1179. 14th, 15th July 1617, 18th Nov. 1617, 2nd June 1623. Contract between John Lord Hay of Yester, on one part, and Margaret, Elizabeth, Cristiane and Grissall Hays, lawful daughters and apparent heirs-female of umquhill William Lord Hay of Yester, their father, and also apparent heirs of line to the remanent (Lords) of Yester their predecessors, and also the said Elizabeth, with consent of James Tuidie of Drumelder, her spouse, and the said Cristiane, with consent of Archibald Newtoune of that Ilk, her spouse, and the saids James and Archibald for themselves and Alexander Horsbruche of that Ilk for himself and taking burden on him for Alexander Horsbruche, his eldest lawful son and apparent heir procreat betwixt him and umquhill Jean Hay, his spouse, and apparent heir to the said umquhile Jean, and also taking burden on him for the other children procreate between him and said umquhile Jean, who was 5th lawful daughter and one of the apparent heirs portioners of the said umquhile William Lord Hay of Yester, on the other part; whereby the said second parties dispone to said John Lord Hay the town and lands of Eister Hassenden, lying in the shire of Roxburgh, town and lands of Athcarmure in the regality of Abirbrothock and shire of ——, the town and lands of Athmuir in the shire of Perth, the lands of Ederstoun and Borrowfeild in the shire of Peebles, the lands of Rodono, comprehending the lands of Langbank, Quhythoipe, Littill Hoipe, Rodono chappell, Meikillhoipe, in the shire of Selkrig, the lands of Glaswall and Torburnes lying in the regality of Kirremuir and shire of Forfar, the lands of Strathauars and Thankartoune in the shire of Lanark, and lands of Bardisbak in the shire of ——, with castles, towers, etc.; and that tenement of land lying on the southsyd of the Hie Streit of the burgh of Hadington betwixt ——, with an annual-rent of 4 merks out of the lands of Newtoune lying in the constabulary of Haddington, with all other lands, etc., to which the said heirs-female and portioners may succeed or have right as heirs foresaid, and constitute the said John Lord Hay their assignee in and to all Reversions, Contracts, etc., made by whatsoever person or persons to the said William Lord Hay or his predecessors, for redemption from them of the lands, etc. abovewritten, or by the late William Hay in Wendan and Margaret Hay, his spouse, to umquhile William Lord Hay of Yester, their quidschir, for redemption of 6 husband lands in Baro, lying in the barony of Duncanlaw and constabulary of Hadington, containing the sum of 1200 merks, with a letter of Tack of the said 6 husbandlands for 19 years; and in and to all tacks of and concerning the kirks and teinds of the said lordship and living of Yester or of whatever Kirks and teinds the Lords of Yester have been in possession, so far as the said heirs may pretend right thereto; and the said co-heirs become to procure themselves retoured as heirs foresaid, and for that effect constitute Mr. Thomas Nicolsoun, elder, and Mr. William Haig their procurators; and they being infeft in said land, etc., bind themselves to compear before their superiors and resign the same in their hands for new infeftment to be given to the said John Lord Hay; and because the late Robert Scott, merchant burgess of Edinburgh, had the said lands of Ederstoun, with pertinents, tacks of teinds, etc., apprised to him for the sum of 10,000 pounds Scots by two Decreets of

the Lords of Council obtained by him against the said co-heirs and the said Robert had also all the reversions, etc., granted to the said umquhile William Lord Hay by whatsoever person or persons for redemption of the lands of Athmuir, with annual-rents, etc., apprised to him for 1000 pounds conform to said Decreets; before which apprising the said Robert Scott, being infeft in the said lands of Ederstoun, he assigned the same to Mr. George Butler, servitor to the said John Lord Hay; therefore the said co-heirs confirm said Decreet of Apprising and infeftments following thereon with the said Mr. George Butler; and also constitute the said John Lord Hay their assignee in and to all legal reversions competent to them for redemption of said lands of Ederstoun and Auchmuir from the said Mr. George. For which causes the said John Lord Hay has paid at divers times to the saids co-heirs certain great sums of money and binds himself to keep them skaithless of the said two Decreets. (Written by Mr. Alexander Reid, servitor to Mr. John Paip, W.S.) Subscribed by the saids Margaret, Agnes and Grissell Hays at Bothans 14th July 1617. Witnesses, James Hay, John Herries, William Geddes and Robert Boyd, servitors to said William Lord Hay; and by said Archibald Newtoun at Bothans 15th July 1617, and by Drumelzier and Horsburgh 18th November 1617, and by Elizabeth Hay on 2nd June 1623. Witnesses, Mr. William Haig, James Dickson and said John Hereis, Alexander Mitchelson and James Wallace. Margaret Hay signs by James Gray, notary, attested by William Hay, co-notary, and Elizabeth signs by Alexander Hervie, notary, attested by James Wilson, co-notary.

Paper.

1180. 15th Aug. 1617. Tack by Androw Bishop of the Isles, with consent of his chapter, to Alexander Earl of Dunfermline, Lord Fyvie and Urquhart, great Chancellor of Scotland, and the heirs-male succeeding to him in the said Earldom, of the teind fish of all sort of fishes to be taken hereafter by the inhabitants of Musselburgh and Fischerraw "schipis crearis boitis and barkis thairof," within the "haill lockis and seyis of the Ilis of Ust Lewis and vther ilis" within the diocese of the said Bishoprick pertaining to the patrimony thereof, for the space of 19 years from the date hereof paying yearly 13s. 4d. for ilk crear bark and bottis teind of the said tounc of Mussilburgh and Fischerraw. (Written by Maister John Paip, younger, writer in Edinburgh.) At Rothesay 15th August 1617. Witnesses, Bryce Sempill of Boghauche, James M'Queartie, minister of Kilmorie, William Callender, apparent of Blakcraig, and Mr. John Huchesoun, notar, and Donald Campbell in Rothesay. The members of the chapter signing are Maister Thomas Mure, persone of Meakle Cumray, Maister John Knox, person of Kilmorrie in Arrane, M'Lachlane, personne of Killarowe, A. Knox diaconus, M. Patrik Steuart, persoune of Rothesaye. Registered 15th August 1617 by Mr. John Huchesoun. The seals of the Bishop and of the Chapter are appended, the former in fair condition, the latter much broken.

1181. 18th Aug. 1617. Confirmation by Thomas, Viscount Fentoun, of a Charter, No. 964. Confirmation dated at Cannogait 18th August 1617. Witnesses, George Home of Manderstoun, Knight, Richard Cas, writer, and Walter Leckie, his servant. (Written by John Leirmont, also servant to said Richard Cass). Containing Precept of Sasine directed to Mr. George Fraser, servitor to Sir Andrew Ker of Oxnam, Knight, and Mr. James Cokburne of Wester Monkrig as bailies. John Symson is notary for the said Cristopher Home. (Seal of Viscount Fentoun is appended, slightly defaced.)

1182. 29th and 30th Aug. 1617. Contract, dated at Edinburgh 29th and 30th August 1617, between Dame Margaret Ker, Lady Zester, with consent of Sir Andro Ker of Oxinhame, Knight, now her spouse, for his interest and he

for himself, on the one part, and John, now Lord Hay of Zester, eldest lawful son to the said Lady, on the other part, narrating that she and her said spouse have raised summons before the Lords of Council and Session against the said John Lord Hay and Robert Earl of Lowthiane, Lord Newbottill, for ejecting the said Lady and her spouse, their servants and goods, in the month of February last, forth of the Kirklands of the provestrie of Bothanis with the mansion, manor place, etc., and lands of Kirkbank with the pertinents lying in the parish of Bothanis and constabulary of Hadingtoun, and for spoliation from her and her spouse furth of the said mansion, etc., of certain goods, gear, evidents, writs, etc., and seeing the said Lord Hay has upon his honour, credit and conscience hereby declared that the whole moveable goods and gear which was within the said mansion and manor place of Bothanis, houses and biggings within the zet of the same upon the 18th day of February last, which was the time of his first meddling therewith (except writs and evidents, victuals in cellars, lardneris and girnells and certain insicht plenishing goods, particularly set down in a writ subscribed by him of date hereof), as are yet extant, unabstracted by him, and is content that the said Lady and her spouse pass immediately to the said mansion, etc., and intromitt with, transport and dispone upon the said moveable goods and gear being therein, and for that effect he binds himself to deliver to them the keys of the said mansion, houses, girnells, kists and coffers therein; in respect whereof the said Lady and her spouse have renounced the said action of ejection and spoliation, and that only so far as the same concerns the said mansion, manor place, tower and fortalice of Bothanis, houses and biggings within the zet thereof and to the goods and gear, etc., within the same, except the goods contained in the foresaid writ; providing that corn, cattle, etc., being outwith, zet of Bothans, etc., girnells of Hadingtoun, Riddishall and Kirkbank in the said month of February and intromitted with by the said Lord Hay shall not be comprehended in the said renunciation, but are submitted to arbiters conform to submission of the date hereof; and if said submission shall not take full effect then the lybell of the said Lady and her spouse for that point shall be referred to their probation. And concerning the action of ejection of the said Lady and her spouse from the Kirklands of the provestry of Bothanis and lands of Kirkbank, the same to be decided by the arbiters in the said submission, which failing by the Lords of Council and Session, and the saids Lady and her spouse bind themselves before 15th December next to remove from the said manor place, etc., of Bothanis and to enter said Lord Hay to possession thereof, and shall not remove therefrom any goods or gear which pertains to the said Lord, and of which he binds himself to discharge them; and he also binds himself to deliver to them such corn, cattle, etc., yet extant on the ground of the said lands of the Kirklands of Bothanis and Kirkbanks. And if it happen the said Lord to intent action against them for delivery of his writs and evidents which have been heretofore in their hands he shall refer the having of the said writs to their oaths and renounce all other form of probation, and the said Lord having intromitted with the evidents and writs which were in the said mansion, whereof a part pertained to himself only and another part to the said Lady and her spouse, and others to the said Lady and Lord Hay jointly, and certain others to Mr. George Butler, servitor to the said Lady, and some to certain other persons, the said Lord binds himself to deliver to each the writs belonging to them, and those belonging to other persons to be put in their hands upon trust, and the writs common to both to be inventoried and put in the hands of James Kynneir, W.S., till the same be registered or transumed upon the said Lord's expense and then to be redelivered to him, and because it is affirmed by the said Lady that there were certain writs in the said place made and subscribed by her in favour of the said Lord and of William Hay, also her son and divers others persons; among which there was a Bond by her in favour of Sir Robert Ker of Ancrum, which is to be excluded from the general discharge. (Written by Mr. John Adamson, servitor to James Kynneir, W.S.) Dated at Edinburgh 29th and 30th August 1617. Witnesses, James Raith, servitor to Alexander Earl of Dunfermling, Mr. George Fraser, servitor to the said Sir Andro, and the said Mr. John Adamson.

Signed. Paper.

1183. 12th Sept. 1617. Letters of Inhibition raised at the instance of Lord John Hay of Yester against the heritors, fewars, etc., of the parish kirk and parish of Barro and Bothans, inhibiting them from gathering, teinding, or otherwise intromitting with the teind sheaves of the said parishes and kirks for 1617 and in time coming; to which the complainer had right as heir to the late James Lord Hay of Yester, his father, who had tack thereof from Mr. David Ogill, person thereof. Signetted at Edinburgh 12th September 1617. Signet has been attached but much rubbed. Signed A. Hay.

Paper.

1184. 2nd Nov. 1617. Assignation by Alexander Earl of Dunfermling, Lord Fyvie and Urquhart, Lord Heiche, chancellar of Scotland, to Mr. James Raithe, his servitor, of the teind salmon and other fisches "callit reid and quhyt fisches" of the water of Esk, lying within the lordship of Musselburgh and shire of Edinburgh, of the crops and years 1615, 1616 and 1617. (Written by John Hay, servitor to Mr. John Paip.) Dated at Edinburche 2nd November 1617. Witnesses, George Dunbar, Thomas Drysdaill and James Esplene, servitors to the said Earl, James Grahame and John Bell, servitors to the said Mr. James Raithe.

Signed. Paper.

1185. 17th March 1578-17th Nov. 1617. Charter by John Tempill, burgess of Mussilburgh, with consent of Margaret Hardie, in favour of Jonet Thomsoun, spouse of John Douglas in Inneresk, and their heirs or assignees, of an annualrent of £4 out of the granter's tenement of land, back and fore, with yard, etc., lying within the liberty of the said burgh in the town of Newbigging on the east side of the same, between the land of Thomas Andersoun on the north, the common vennell on the south, the common passage leading from the said burgh on the east, and the High Street of the said burgh on the west. To be held from the granter of the bailies, burgesses and community of the said burgh in heritage and free burgage for services used and wont. Dated at Mussilburgh 17th March 1578. Witnesses, William Scott, William Adamsoun, John Sandersoun, John Gourlay, Henry Aytoun, burgesses and indwellers of the said burgh, and Robert Bennett, notary public. The granters both sign by the notary, Robert Bennett, because they cannot write.

Tag.

Endorsed is a renunciation of the said annual-rent by John Nisbet, son lawful to Mr. George Nisbet, master of the Grammar School of Mussilburgh, with consent of his said father, to Alexander Earl of Dunfermline, great chancler of Scotland, on receipt of £40 as the redemption price thereof. Narrating that Robert Douglas, brother to Mr. John Douglas, lawful son and heir to the said Jonet Thomsoun, disponed the same to the said Mr. George Nisbett and the late Euphame Douglas, his spouse, in liferent and the said John Nisbett, their son, in fee. (Written by Richard Bennett, clerk of Mussilburgh.) Dated at the said burgh 17th November 1617. Witnesses, Mr. James Inglis, servitor to the said Earl, Matthew Wallange, notar, and said Richard Bennett, indwellers in said burgh.

Signed.

1186. 21st Nov. 1617. Bond by Dame Margaret Ker, Lady Yester, relict of umquhile James Lord Hay of Yester, with consent of Sir Andro Ker of Oxinname, Knight, now her spouse, narrating that the said James Lord Hay having procured the right of his own escheat and liferent to Francis Earl of Erroll, Alexander Earl of Linlithgow and umquhile Mark Lord Lothiane, his dearest friends and kinsman, "and quha than had the speciall cair and

onlie respect to him and the standing of his house," and they for his better security on 27th and 31st May 1608 assigned the said right of escheat to William Hay, his second son, and delivered the same to his said father; and seeing said Assignation is now in the hands of the said Dame Margaret, and that delivery thereof to the said William may breed prejudice to her who is only executrix confirmed to the said James Lord Hay, and also to John, now Lord Hay, her eldest lawful son, therefore she binds herself to retain the said Assignation and not deliver the same to said William unless she be compelled. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at Edinburgh 21st November 1617. Witnesses, Mr. James Raithe, servitor to my Lord Chancellor, Mr. George Butler, servitor to the said Lady Yester, Mr. John Adamsone, servitor to Mr. Francis Hay, W.S., and Mr. George Fraser, servitor to Sir Andro Ker of Oxnam.

Signed. Paper.

1187. 21st Nov. 1617. Bond by Dame Margaret Ker, Lady Zester, with consent of Sir Andro Ker of Oxmaine, Knight, her spouse, to John Lord Hay of Zester, her son, to deliver to him the 18 writs therein mentioned to be transumed and to make the same forthcoming to him after her decease in case the same shall not be transumed during her lifetime; and when they happen to be transumed she binds herself to deliver the originals to him, he delivering the transumpts to her. And if her said husband predecease her, his heirs or executors shall not be bound to make the same forthcoming until it be tried (if) the said evidents have come in their hands. (Written by John Burnet, servitor to Andro Hay, writer.) Dated at Edinburgh 21st November 1617. Witnesses, Mr. James Raithe, servitor to the Lord Chancellor, Mr. George Butler, servitor to the said Lady Zester, Mr. John Adamesoune, writer in Edinburgh, and Mr. George Fraser, servitor to Sir Andro Ker of Oxnam, Knight.

Signed. Paper.

1188. 21st Nov. 1617. Discharge by Dame Margaret Ker, Lady Zester, with consent of Sir Andro Ker of Oxname, Knight, her spouse, to John Lord Hay of Zester of the 94 writs mentioned in the accompanying Inventory. Dated at Edinburgh 21st November 1617. Witnesses, Mr. James Raithe, servitor to the Lord Chancellor, Mr. George Butler, servitor to the said Dame Margaret, Mr. John Adamesoune, servitor to Mr. Franceis Hay, W.S., and Mr. George Fraser, writer of the deed.

Signed. Paper.

1189. 6th Dec. 1617. Precept of Clare Constat by James Marquis of Hamilton, Earl of Arran, Lord Avendale, and Lord of the Regality of Abirbrothock, directed to Arthur Nasmythe, burgess of Lanark, for infefting Margaret, Elizabeth, Cristine, Agnes and Grissell Hays as lawful and nearest heirs to the late William Lord Hay of Zester, their grandfather, in the lands of Athcarmure, lying in the lordship and regality of Abirbrothock and shire of Lanark, which hold in chief of the granter in free blench ferme for payment of half stone of wax at the messuage of the said lands on the feast of St. John the Baptist if asked. (Written by John Burnet, servitor to Andrew Hay, W.S.) At New Mercat 6th December 1617. Witnesses, Sir Robert Karr of Ancrum, Knight, Mr. Patrick Hamilton.

Signed. The seal of the Marquis has been appended but is now gone.

1190. —— 1617. Tack by John Lord Hay of Yester to Cristiane Liddell, relict of William Kemp in Duncanlaw, of 2 husband lands and 2 boitlands of the lands and barony of Duncanlaw presently occupied by her, lying in the lordship of Yester, for 19 years from the date hereof, paying yearly

for each of the said husband lands 4 bolls beir and one boll oatmeal, 6 kane fowls, and for each of the 2 coitlands 6 firlots beir and 2 kane fowls, with 2 days' harrowing and a shearer daily in harvest, with proportional service of casting, winning and leading fuel and elding to the said Lord's place of Bothans. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at —— 1617.

Witnesses names not given. Unsigned. Paper.

1191. —— 1617. Another copy of above unsigned.

Paper.

1192. —— 1617. Tack by John Lord Hay of Yester to George Carfrae, son to Cristiane Wadderstoun in Yester, of 2 husbandlands of the lands and lordship of Yester in the constabulary of Haddington and shire of Edinburgh, for 19 years from the date hereof, paying yearly for each of said husband lands 3 bolls beir, 4 bolls oatmeal with 6 kain fowls, 2 days' harrowing in harrowing time and a sheirer in harvest, also casting, winning and leading so much fuel and elding as shall correspond to the rent of said lands. (Written by John Burnet, servitor to Andro Hay, W.S.) Dated at —— day of —— 1617.

Witnesses not named. Not signed. Paper.

1193. —— 1617. Tack by John Lord Hay of Yester to George Wadderstoun in the town of Yester and Marion Meikie, his spouse, of 2 husbandlands of the lands and lordship of Yester, in the constabulary of Haddington and shire of Edinburgh, for 19 years from Whitsunday next 1617; and also of that house and piece of land in Yester, extending to an acre of land, presently occupied by them. Paying yearly for each of the said 2 husband lands 3 bolls beir and 4 bolls oatmeal, with 6 kane fowls, 2 days' harrowing in harrowing time and a sheirer daily in harvest, and cutting, winning and leading home so much fuel and elding as shall correspond to the rent of said lands; and to render the yearly service and other duties customary for the said house and acre. (Written by James Douglas, servitor to Andro Hay, W.S.) Dated at —— the —— day of —— 1617.

Witnesses not named. Not signed. Paper.

1194. —— 1617. Tack by John Lord Hay of Yester to William Watt in Sheriffsyd of the half of that pendicle of the lands and barony of Duncanlaw called Sheriffsyd, with the half of the lands called the hauchis and braes nixt adjacent thereto extending to 2½ husband lands presently occupied by said William, lying in the lordship of Yester, constabulary of Haddington and shire of Edinburgh, for 19 years from the date hereof. Paying yearly for the said half lands of Sheriffsyd 8 bolls bier, 3 bolls quheit and 12½ bolls oatmeal, and for the said hauchs and braes 3 bolls meill with 15 kane fowls, and the said William binding himself and his servants to harrow 2 days' harrowing in harrowing time and to furnish a sheirer daily in harvest during the time of the said Lord's harvest, and that for each husband land of the foresaid lands, and to cast, win and lead home so much fuel and elding as shall correspond to the rent of the said lands. (Written by James Douglas, servitor to Andro Hay, W.S.) Dated at —— 1617.

Witnesses not named. Not signed. Paper.

1195. —— 1617. Memorandum for Lord Hay of Yester respecting the spoliation of the teinds of Bara and Bothans and of a room called Howldoun in the barony of Newhall by his mother and her youngest son.

Paper.

1196. —— 1617-18. Besydes the particulars conteaned in the Minute quhilk Sir Andro Karr hes my Lady must be required to subscryve and performe the conditions efter mentionatt.

Imprimis, A Discharge of such heades of the Decreits Arbitrall as are fulfilled be my Lord to them.

Item Mr. Theodores Haye's discharge of the tack dewty of the tack sett be him of the tendis of Jedwartfeild, Edderstone and Cokeland of the Cropt 1617 and all yeares preceading.

Item Hector Cranstone's discharge of the dewty of the vicarage teinds of the same landis and yeares above specified.

Item Jhon Karr's discharge of his stipend and dewty of the teindis of Meggot in 1617 and all yeares preceding.

Item must deduce to my Lord for the twa tearmes of the taxt of the teinds of Beltane and Bathanes of the taxatione granted to His Majestie in 1617 the sowme of 82 lib. 13s. 4d.

Item must deduce for the taxation of the Parke Hedinghill, Linplum and Wenden	45 lib.
Item payed to Sir Robert Stewart	16,058 merks.
Item to Robert Dowgall	3,000 merkis.
Item to Thomas Lindesay	2,000 merkis.
Item to Mr. James Dowgall	1,000 merkis.
Item to Raff Robsone	1,000 merkis.
Item to Sir Andro wpon his ticket	1,500 merkis.
Item to James Ainslie	3,000 merkis,

Item to remember that my Lady releive the Laird of Newtone of such debtis for which my Lord hes geven his word.

Item to geve my Lord a band of warrandice from being distressed for any bygane intromission had be his father or hir with the Laird of Newtone's estate or any intromission to be had be hir therewith in any tyme cumming.

Item my Lady must make to my Lord a Disposition of the Assignation made to her be my Lord Chancellor of the waird and a decreit of removing obtained at his instance against my Lord's tenants.

Item foralsmekill as my Lady hes taken away the haill geir quherwith the tenantis of Parke showld have payed their dewty of the crop 1618 and which my Lord had arrested to that effect shoe must be countable to my Lord of the sowme of 800 merkis quherof these tenentis are debtfull that shoe has taken the goods fra.

Item must deduce to my Lord the price of fyve chalders of beir and quheit owen be James Nicolsone in Beltane for the croppe 1618 in respect my Lady hes intrometted with his haill goods that wer arreisted for payment of the samin.

Summa of the sowmes payed be Lord or geven bond for	27,558 merkis.
Defalcations in the Decreit	1,512 lib. 13s. 4d.
Debts—Nicolson	296 lib. 5s. 4d.
Taxationes	127 13 4
Mr. Theodore Hay	100 0 0
Summa is	30,612 merkis 10s.

Paper.

1197. 5th March 1618. Tack by James Sinclair of Quendall, assignee of the late Malcolm Sinclair of Quendall, his father, principal taksman of the teinds of the vicarage of the parish of Dunrosness in Zetland, and Margaret Sutherland, his spouse, to Alexander Earl of Dunfermline and Dame Margaret Hay, his spouse, and the survivor of them, and after their decease to the said Earl's heirs-male succeeding to him in his lands of Pinkie, for 19 years of the teind fishes of the Dogger bank, of the towns of Fischerraw and Mussilburgh, fishing and repairing within the said parish of Dunrosness, from the date of entry at Midsummer 1618, for the yearly tack duty of £40. (Written by Mr.

William Skene, servitor to Robert Alschinder, writer.) Dated at Edinburgh 5th March 1618. Witnesses, Robert Monteithe of Eglisha, Alexander Inglis of Rattonraw, William Inglis of Otterstoune, and Mr. James Inglis, servitor to the said Earl.

Signed. Paper.

1198. 28th March 1618. Copy Warrant to Andro Cuninghame to possess himself or find tenants for the following lands, viz. 40s. land of Dardaroch, 10s. land of Claristone, 10s. land of Wallacetoun, 4 merkland of Coitstoune and Cuilstone, half merkland of Kidstone, 20s. land called the Maines and hall of Snaid, with 40 penny land lying adjacent to Coitstoune extending to £7-40 penny land, for yearly payment of 400 merks; and in consideration of past services and for his encouragement in time coming giving him full power to imput and output tenants during the will of the granter. Also the 30s. lands of Skaithes, 12 bolls of meill measure of Nith, with mill, mill acres and multures thereof, paying therefor 15 bolls meill yearly. At Edinburgh 28th March 1618. Witnesses, William Haig, writer of the deed, and William Cuninghame, brother to said Andro.

Unsigned. Paper.

1199. 15th April 1618. Assignation by Mr. William Hay of Baro, Commissary of Glasgow, in favour of Alexander Hay, his second lawful son, of a tack granted by Dame Margaret Ker, Lady Yester, and John, now Lord Hay of Yester, to the said Mr. William Hay and Jeane Hay, his spouse, of that husband land called Quhitchester, lying within the parish of Baro, territory and village of Dunkalae, for the space of 19 years, paying yearly forty shillings of maill; dated at Neidpeth Castell 14th August 1611. (Written by Alexander Patersone, servitor to Mr. Alexander Guthrie, common clerk of Edinburgh.) At Edinburgh 15th April 1618. Witnesses, Mr. Thomas Spittell and the said Alexander Patersone.

Signed. Paper.

1200. 25th April 1618. Tack by John Lord Hay of Yester to Williame Wadderstoun in the toun of Yester of 2 husband lands of the lordship of Yester, for 19 years from Whitsunday 1617. Paying yearly 3 bolls beir, 4 bolls oatmeal, 6 kane fowls, 2 days' harrowing and one shearer daily in harvest for each of said husband lands, and casting, winning and leading a proportional part of fuel. Dated at Edinburgh 25th April 1618. Witnesses, Robert Keyth, servitor to James Stratoun, writer, James Douglas and John Burnet, servitors to Andro Hay, W.S., and Gavin Hamiltoun, cordiner burgess of Edinburgh. William Wadderstoun signs by Andro Hay, notary; attested by Robert Weir, co-notary.

Signed. Paper.

1201. 7th May 1618. Copy Gift by John Lord Hay of Yester to Mr. John Hay, clerk depute of Edinburgh, of the ward, nonentry maills, etc., of the lands of Craigkingilduris, lying in the barony of Olivercastell and shire of Peebles, now in the hands of the said Lord, by decease of the late Mr. William Hay of Barro, Commissary of Glasgow, last possessor thereof; excepting therefrom the marriage of James Hay, eldest lawful son of the said deceased Mr. William Hay, and failing of him, the marriage of any other his heir or heirs. Dated at Neidpeth 7th May 1618. Witnesses, Mr. Theodore Hay, person of Peebles, Mr. William Haig of Bemersyd, and Andro Hay, writer of the gift. (The copy is written by James Lennox, servitor to Mr. Alexander Guthrie, common clerk of Edinburgh.)

Not signed. Paper.

1202. 14th May 1618. Tack by John Lord Hay of Yester to John Carfrae in the toun of Yester of these 4 husband lands of the Lordship of Yester, viz., one husband land called Kerisland and another husband land lying in the toun of Yester, both of which are presently occupied by the said John Carfrae himself, and these other two husband lands of the toun and lands of Yester formerly occupied by Cristiane Wadderstoun, his mother, for the space of 18 years from Whitsunday 1618; also the house, yard and barn in Yester sometime occupied by the said Cristiane and now by said John; paying yearly for each of said husband lands 3 bolls beir and 4 bolls oatmeal, 6 kane fowls, 2 days' harrowing and a shearer daily in harvest; also casting, winning and leading a proportional part of fuel to the place of Bothans corresponding to the rent of said lands. Dated at Edinburgh 14th May 1618. Witnesses, James Hay and James Diksone, servitors to the said Lord, Mr. Samuel Cokburne, minister at Mynto, John Burnet and James Douglas, servitors to Andro Hay, W.S., and John Davidson, tailor burgess of Edinburgh. John Carfrae signs by Andro Hay, notary, attested by Thomas Lawrie, co-notary.

Signed. Paper.

1203. 15th May 1618. Inhibition at the instance of John Lord Hay of Yester against the heretors, fewars, etc., of the parish kirk and parish of Bothans from collecting the teind sheaves, etc., due to complainer as assignee of James Hay in Yester for the year 1619, who had tack thereof from John Hereis, provost of the College Kirk of Bothans, with consent of the patron and prebendaries thereof. Signetted at Edinburgh 15th May 1618. Signed A. Hay.

Signet attached but much rubbed. Paper.

1204. 29th May 1618. Precept of Clare Constat by Mr. Alexander Greig, minister of the Word of God at Drummalzear and perpetual vicar of the parish Kirk of Stobo, for infefting William Veache, now of Kingsyd, as lawful and nearest heir of the late William Veache of Kingsyd, his grandfather, in the 40s. lands of Wester Hopprew, lying in the barony of Hopprew and shire of Peables. (Written by James Toischeache, servitor to Arthur Ray, writer in Edinburgh.) Dated at Stobo 29th May 1618. Witnesses, Alexander Vaitche, brother german to William Vaitche of Dawick, Andrew Vaitche, portioner of Stewartoun, and James Russell in Stobo.

Signed.

1205. 2nd June 1618. Instrument of Sasine following upon No. 1204 given by James Foulden in Stobo, bailie, to Mr. Alexander Greig, minister at Drummelzear. Done upon the ground and in the close of the said lands about the hour of 3 p.m. 2nd June 1618. Witnesses, Adam Vaitche in Lyne, Andrew Vaitche in Hammiltoun, William Russell at Mill of Lyne, James Tuedie in Stobo and John Vaitche in Dawik. Patrick Vaitche, notary public of the dio. Glasgow, a.n. et per dom. conc.

1206. 10th June 1618. Extract Decree of the Lords of Council of date at Edinburgh 20th February 1608 transferring Contract, dated at the Bothanis, Callender and Newbottle 7th, 11th, 13th and 15th Nov. 1607, between Alexander Earl of Dunfermline, Lord Fyvie and Urquhart, High Chancellor of Scotland, on the one part, and James Lord Hay of Zester, with consent of Dame Margaret Ker, Lady Zester, his spouse, for themselves and taking burden on them for Mistress Margaret Hay, their only lawful daughter, and she for herself, on the other part, whereby the said Earl in contemplation of his marriage with the said Mrs Margaret Hay binds himself to infeft her in liferent in his town and lands of Dalgatie and Dunduff in the shire of Fife, and in his lands and tenandry of Haillisbrig, with teind sheaves of the town and lands pertaining

and annexed thereto, with mills, etc., lying in the parish of Haillis and shire of Edinburgh. principal and in an annual rent of 1000 merks out of his lands and lordships of Fyvie and Urquhart, all to be held of the said Earl in free blench for payment of one penny if asked; and in security binds himself to sett to her the teind sheaves and vicarage teinds of the said towns and lands of Dalgatie and Dunduff, she paying yearly 23 merks of tack duty for the teind sheaves of Dalgatie and 40s. for those of Dunduff, etc., and on the other part the said James Lord Hay binds himself to pay in tocher with the said Margaret to the said Earl £20,000 Scots, in the proportions termly therein specified, and in security thereof to infeft him an annual rent of 2000 pounds out of the lands and lordship of Zester in free blench for payment of one penny yearly if asked. Witnesses to Marriage Contract are William Cokburne, apparent of Newhall, and James Ker, servitor to said Lord Hay, to subscription of said Lord Hay and his wife and daughter; and Mr. James Livingstoun, son of umquhile John Livingstoun of Gottinfute, and Thomas Callender, servitors to Alexander Earl of Linlithgow, David Borthuik and Thomas Giffert, servitor to Mark Earl of Lowthian, witnesses to the subscription of the said Earl of Dunfermline; in John, now Lord Hay of Zester, son and heir to the said umquhile James Lord Hay of Zester, passive, for execution of said Contract, as retoured heir to his said father by retour of date 2nd March 1610, produced. Extracted by Sir George Hay of Nether Liff, Knight, clerk of Rolls, Register and Council.

Paper.

1207. 15th June 1618. Sasine on Charter of Alienation by John Lord Hay of Yester to Robert Scott, fiar of Tuschelaw, lawful son of Sir Walter Scott of Tuschelaw, his heirs and assignees whomsoever, heritably, of that part of the lands of Rodono called Wairdlawrig, with houses, etc., lying in the shire of Selkirk. Charter dated at Edinburgh 3rd June 1618. Witnesses, Mr. William Haig and James Diksone, servitors to the granter, Mr. Richard Douglas, fiar of Lintoun, and Robert Pringill, W.S. (Written by Patrick Glen, servitor to the said Robert Pringill.) Sasine dated 15th June 1618. Witnesses, Thomas Allan in Wardlawrig, Walter Allane in Reidfurdgrene, William Scot, lawful son of Philip Scot, elder of Dryhoip, and Francis Scot, natural son of John Scot, called of Tuschelaw. John Chisholme, younger in Crumsyde, is bailie; James Murray, cls. Glasguen: dio. n.p. Registered in P.R.S. Roxburgh, etc., fol. 96, at Selkirk 22nd June 1618 by Mr. John Tuedie of Winkestoun.

1208. 18th June 1618. Minute of Tacks of Snaid exhibited at Edinburgh 18th June 1618:—

(1) Tack by William Lord Yester to John M'Gowne of a half merkland of Auchinfedricke and 40 penny land of Midstreth, dated 7th June 1583. Witness, Peter Turner.

(2) Tack by James Lord Yester to Malcolme Darumpill in Watersyd and Nicolas Douglas, his spouse, of a merkland of Moffetstoun and 15s. land of Lagan, dated 29th October 1607.

(3) Tack by James Lord Yester to John Amulleken of a merkland in Auchinfedricke, dated 11th November 1607.

(4) Tack by same to Agnes Maxwell, spouse of Gilbert Greir, of a merkland of Gilmestoun, dated 24th November 1607.

(5) Tack by same to George Cuninghame and Nicolas Greir, his wyff, of a merkland in Shaw, dated 7th December 1607.

(6) Tack by same to Gilcryst M'Couell and Catherine Amulleken of one merkland of Achinfedricke from the decease of Archibald M'Conell, father to said Gilcryst, which was in October 1610 (*sic*), for 19 years, dated 17th July 1608.

(7) Tack by same to Andro Wilsone of 45s. land of Laggen, dated 18th July 1608.

(8) Tack to Gilbert Finnane of a 40 penny land of Achinfedricke, dated 23rd October 1608.

All these tacks without consent of the interdicters.

Andro M'Conell without consent of my Lord has entered in possession of the tack granted to Archibald M'Conell his heirs (he hes left daughters), and so hes made that tack to be null.

Minute of the Writtes produced be Ninian Ferguson of Brakinsyd :—

(1) Charter to Robert Ferguson of the lands of Brakinsyde by William Cunninghame, baron of Snaid, for yearly payment of a pair of "quhyt gluffes," dated 12th March 1457.
(2) Charter of Confirmation by John Lord Hay of Yester to Robert Ferguson and Effie Rinzeane, his spouse, on Resignation of Agnes Ferguson and John Rinzeane, her spouse, of 20s. lands of Brakinsyd, dated 9th July 1541.
(3) Precept of Clare Constat by William Lord Yester in favour of Agnes Ferguson, daughter to said Robert Ferguson, of said lands, dated 16th March 1570.
(4) Sasine following thereon, dated 1st April 1571. David M'Gill, notary.

Minute of the Wrettis produced by John Walles in Brakinsyd :—

(1) Precept of Clare Constat by John Lord Yester to Margaret Ferguson of a merkland in Brakinsyd, dated 9th December 1519.
(2) Sasine by John Lord Hay of Yester to John Walles of 20s. land in Brackinsyd which pertained to Margaret Ferguson, his mother, dated 4th November 1531. William Larde notary.
(3) Precept of Clare Constat by James Lord Yester to William Wallace of said lands. Written by Mr. George Butler and subscribed by said Lord without consent, dated at Bothans 4th November 1606.
(4) Sasine following thereon, dated 10th April 1607. John Rig notary.
(5) Discharge to John Wallace, son and heir to Margaret Ferguson, heretrice of 13s. 4d. land of Brakinsyd, of £21, 10s. for duty of nonentry and ferme duty of 6s. 8d. land thereof.

Item, in the 13 bunche of the Writtes minuted in Mr. George Butler's tronke there is—

A Contract between Dame Margaret Ker, Lady Yester, and the tenants of Brakinsyd anent the thrid of the land of Brakinsyd, dated 7th December 1611.

24th November 1624.

Note.—Dardarock is set for 80 lib of tack dewty.

The remanent lands in Andro Cuninghame's warrant of the 28th March 1618, £186, 13s. 4d.

The lands in tacke (besyds Moffetstone 15s. land of Laggen and Garrochstone), £60, 6s. 8d.

Enclosed is a memo. as follows :—

Sold to Andro Cunynghame—

1 merkland of Garistoun and Kidstone.
1 merkland of Schaw.
20s. land of Snaid.
20s. lands of Bordland.

5 merkland.

Payes yeirlie of few dewtie—10 merks.

Stephane Lawrie.

3 lib land of Mekill and Litill Laganes.
40s. land of Over, Midle and Nether Straithes.
40s. land of Auchinfedrick.

40s. land of Dardaroche and Woodheid.
10s. land of Claristone.

Inde 9 lib. and 10s.

Few dewtie 20 lib.

John Craik.

2 merkland.
1 merkland of Moffetstoun.
1 merkland of Gaitsyd.
2 merkland of Kewelstoun.
2 merkland of Catsoun.
30s. land of Comstone.
40d. land lyand to the milne.

Inde 7 lib.

Few dewtie 21 lib. 3s. 4d.

Paper.

1209. 18th June 1618. Another copy of above Minute to which are added the following notes :—

James M'Kitrik is in suite of ane merkland possessed be Marion Smith.

Tack set be Andro Cuninghame of Birkshaw to John Wallace of 10s. land of Streth for yearly payment of 4 bolls meill and 40s. maill beginning Whitsunday 1616.

10s. land of Claristone set be Dardaroch to William Richartson.

10s. land of Wallacetoun set be him to Gilbert Finnane for 4 bolls meill Nidsdaill measure.

1 merkland in Kewlstone possessed be Andro Reid payes 9 lib.

1 merkland of the Busse Edward Halyday has neither ta[*torn*] nor rentall.

A 19 yerre tacke to Malcolme Darumpill of Watersyd and Nicolas Douglas, his spouse, of a merkland of Moffatstone and a 15s. land of Nether Lagan, payand twa merk for Moffatstone and a —— dewty for Lagane, with a clause irritant. Dated 29th Oct. 1607.

Andro Reid hes offered 160 lib. for the mill of Dardarock according as the multures are stented, and if my Lord please to impose the 13 pecke upon the 20s. land of Snaid, 20s. land of Bordland, 30s. land of Comestone, the lands of Over Streth, Nether Streth and Mid Streth, the merkland of Shaw and merkland of Gilmerstone (quhilk payes the 20 corne), to give 300 merks for his yearly.

Item, for the 20s. land of Over Streth he hes offered a boll of Nidsdaill measour more then it payes.

Ninian Fergusone offeres entresse for a tacke of the lands of Over Streth, continewing the owld deuty.

My Lady tooke from Edward Halyday in Snaid at the tyme of his father's deceisse a herrald meir with 40 lib. whilk wes thre yerres since.

Item, shee tooke from James M'Kitrik about the same tyme a kow (that wes geven to William Cuninghame worth 20 merks) be the lyke occasion, and at Lammes 1616 shee tooke a nagge worth 40 lib. fra him efter the deceisse of his brother.

Andro Cunynghame aucht to be askt how it cumes that James M'Kitrick and Edward Haliday having no tackes hes payed only 2 merk for the merkland this thre yerre bygane.

The 14th November Roger Cuninghame suites the 20s. land of Borland and 20s. land of Snaid.

Every merkland of the Snaid payes for the teind to the minister 40s., and payed of enteresse for these teinds fourty merke for every merkland.

Enclosed is a memorandum of the yearly rent of the barony of Snaid.

Paper.

1210. 6th July 1618. Tack by John Lord Hay of Yester to Patrik Colstoun in the toun of Yester of a husband land presently occupied by said Patrick, lying in the lordship of Yester and constabulary of Hadingtoun and

shire of Edinburgh, for 18 years from Whitsunday 1617. Paying yearly 3 bolls beir and 4 bolls oatmeal, with 6 kane fowls, 2 days' harrowing and one shearer daily in harvest. Also furnishing to the place of Bothans a proportional part of fuel. Dated at Edinburgh 6th July 1618. Witnesses, James Hay and James Diksone, servitors to said Lord, John Burnet and James Douglas, servitors to Andro Hay, W.S., Mr. William Haig and William Hay, servitors to said Lord, James Wilsone and Patrik Scott, servitors to said Andro Hay. Patrik Colstoun signs by James Wilsoun, notary, attested by A. Hay, co-notary.

Signed. Paper.

1211. 28th July 1618. Extract Decree by Commissioners for Plantation of Kirks appointed by Act of Parliament of June 1617 modifying as a constant and local stipend to the minister present and to come serving the cure at the Kirk of Bothans and for furnishing elements for the communion thereat, the sum of 620 merks yearly to be paid out of the teinds of the said parish by Dame *Margaret* (?) [*omitted in Decree*] Ker Lady Zester, tackswoman of the said teinds, and Sir Andro Ker of Fairnehirst, her spouse, during her lifetime, and after her decease by John Lord Hay of Zester, fiar of the said tack. Nevertheless the said Commissioners suspend payment of 200 merks of the said stipend during the lifetime of the said Lady Zester, or until the matters questionable between her and the said Lord Zester, her son, anent the right of the tack be settled by the friends to whom they are submitted. Mr. James Mitchelson, present minister of the said Kirk, is called for his interest along with John Archbishop of St. Andrews, in whose diocese the said Kirk is. Extracted by Sir John Hamilton of Magdalen's, Knight, Clerk of the Rolls Register and Council. The decree is given on 20th August 1617. Extract dated 28th July 1618.

Paper.

1212. 10th Nov. 1618. Sasine on Precept of Clare Constat No. 1189. James Forrest in Heidis is attorney for said heirs. Sasine given on the ground of the said lands about the hour of 2 a.m. on 10th November 1618. Witnesses, Thomas Lokhart, portioner of West Lymflar, John Gairdner in Chapell, William Forrest in Hillheid and Rolland Broun in West Lymflar. Gavin Blair, clerk of the diocese of Glasgow, n.p. a.r. Registered at Hamilton 20th November 1618 in Particular Register Sasines Lanark, vol. i, f. 38.

1213. 14th Nov. 1618. Extract submission by John Lord Hay of Yester, Sir Andro Karr of Phernhirst, for himself and taking burden on him for Dame Margaret Ker, his spouse, Mr. George Butler, servitor to the said Dame Margaret, Mr. John Hay, town clerk of Edinburgh, and Alexander Paterson, his servitor, of all matters debateable between them to the decision of Andro Ker of Fentoun, only arbiter chosen by all the said parties. Date at beginning torn away. No witnesses. Signed by Alexr. Gibson.

Paper fragment

1214. 9th Jan. 1619. Extract Registered Decreet Arbitral by Andro Ker of Fentoune, only judge arbitrar chosen by John Lord Hay of Yester, Sir Andro Ker of Pherniehurst, Knight, for himself and taking burden on him for Dame Margaret Ker, Lady Yester, his spouse, for whom he became bound to cause the said Dame Margaret Ker ratify this decreet arbitral, Mr. George Butler, servitor to the said Dame Margaret Ker, Mr. John Hay, town clerk of Edinburgh, and Alexander Paterson, his servitor, for all right and title which they or any of them three has or can pretend to have to the lordship and living of Yester or any part thereof or commodity belonging thereto. The said arbiter upon the 14th October last accepted and promised to decide thereanent and pronounce decreet and sentence thereupon between and the last day of December next thereafter, and having heard the forenamed persons in the

claims and answers *hinc inde* made by them thereto decerns (1) that the said Mr. George Butler dispone all right and title competent in his person of a process of apprising led at the instance of Robert Scott, called of Wamphray, against Elizabeth, Margaret, Marion, Agnes, Beatrix and Grissel Hays, daughters and heirs female to umquhile William Lord Hay of Yester, or against umquhile James Lord Hay of Yester, by the which the said umquhile Robert comprised the lands of Edderstoun, houses, etc., for the sum of £10,000 principal and £500 of Sheriff fie, and likewise comprised all the reversions made in favour of the said William Lord Hay of Yester, his heirs and assignees, for redemption of the lands of Auchemure lying in the shire of Perth for the sum of £1000 principal sum and £50 Sheriff fie, which sums were evicted at the instance of the said Robert Scott and Alexander Bryden against the said umquhile William Lord Hay of Yester or against the said James Lord Hay of Yester or their heirs for spoliation of certain goods and geir from the said umquhile Robert Scott and Alexander Bryden in Kirksteid and profits thereof contained in the said decreet, in and to which the said Robert Scott constitute the said Mr. George Butler, his assignee by virtue of a Contract made between them of date 7th January 1609, and the said umquhile Robert being infeft in the said lands of Edderstoun by virtue of the said comprising holding of William Wallace of Johnstoun, superior thereof, etc.; (2) ordaining the said Mr. George Butler to resign the forsaid lands in the person of the said John Lord Hay of Yester, his heirs male and assignees, together with the said comprising of the said lands of Edderstoun, and that by two infeftments, one to be held of himself in free blench for payment of 1d. if asked, the other to be held of the said Mr. George's superior, etc., and (3) that the said Mr. George Butler resign in the hands of the said John Lord Hay, patron of the provestrie of Bothans, the said provestrie of Bothans, with rents, etc., thereof, and (4) that the said Mr. George his provision to the said provestry of Bothans granted to him by the said James Lord Hay of Yester, patron thereof, had been from the beginning null, and (5) that the said Mr. George Butler resign all right, etc. to the said benefice of the provestry of Bothans rents, etc. thereof or in and to any part of the lands, living or lordship of Yester stock or teind of the same, etc. (6) I ordain the said Mr. George Butler to warrant from his own deed allanerly, providing always that warrandice be not extended to any Bond, etc., done by him already in favour of the said Lord and Lady Yester and William Hay, Master of Yester, of or concerning the premises. (7) Decerning the said Mr. John Lord Hay of Yester to have good and undoubted right in and to all and whole the lands, lordship and barony of Yester, with castle towr and fortalice thereof and all the pertinents, lands and maynes of Park Gavvelstoun, Giffertgait, the lands of Linplum Duncanlaw (except the lands belonging to the Kirk), the lands of Barro, the quarter of the towns and lands of Blauss, the lands and barony of Lochquharret, Eister Hoprew Eddistoun and Meggot, the lands and barony of Oliver Castle, the lands and barony of Lyne and Wester Hpprew, the lands of Jedwartfield and Castle of Neidpath, the half lands of Glenrusco, the lands and barony of Snaid, the fourth part of the lands of Polgavie, etc., all incorporated in the free lordship called "the lordship and barronie of Yester," and that the undoubted heretable right of the said lands pertains to the said John Lord Hay of Yester, his heirs and assignees, by virtue of a comprising led at his instance of the said lands and lordship upon the first of August 1618. And because there are divers questions and controversies between the said Noble Lord, John Lord Hay of Yester, and the said Dame Margaret Ker, Lady Yester, and the said Sir Andro Ker, her spouse, for his interest, etc., therefore (8) decerns the said Sir Andro Ker, for himself and taking the burden on him for his said spouse, to discharge the said John Lord Hay of Yester and his heirs of all and whatever intromission he has or had of any part of the same Dame Margaret's mailes and duties, etc., which pertain to her, and that of all years preceeding the date of the said Submission, which is 14th November last. (9) Ordaining the said Sir Andro Ker and him for his said spouse to cause her restore and deliver to the said John Lord Hay all his airship, goods and geir pertaining to him as heir to the said umquhile James Lord Hay of Yester, his father, which the said Dame

Margaret has or can attain to upon her honour and conscience; (10) and ordains the said Sir Andro Ker and him for his said spouse to deliver to the said John Lord Hay all documents whatsoever relating to the forsaid lands, living and lordship of Yester, etc. (11) Ordains the said John Lord Hay to discharge the said Dame Margaret and her said spouse of all intromissions they had or have with any of his maills or duties, etc., of the said lands. And (12) for which discharge the said Sir Andro Ker and him for his said spouse is decerned to be owing to the said John Lord Hay the sum of £40,000 scots. And (13) decern the said Sir Andro Ker, and him for his said spouse to discharge in favour of the said John Lord Hay all her right, title, etc., to the foresaid lands and whatsoever other lands, etc., in which the said James Lord Hay was infeft or that have fallen to the said Dame Margaret by conjunct infeftment, liferent or terce (excepting the lands of Linplum and Wynden), and in special the lands and mains of Yester Park and Mylne thereof, Heddinghill and Overmill, which are parts of the barony of Yester, the lands of the prebendarie of Kirkbank with the lands of Kirkbank and cornmill thereof, lands of Walden and Duncanlaw, prebendarie of Walkmilne or St. Edmond's altar, comprehending 4 acres called the Walkmylne aikeris, with the acres belonging of auld to Laird Fell, Laird Duncanlaw and Laird of Colstoun lying in the said toun of Duncanlaw, lands of Beltane, Kilpallet and Bentidot, and decerning the said Sir Andro and his spouse to renounce in favour of the said John Lord Hay all right competent to them in and to the teinds of the said lands, except the vicarage teinds of Barro, and specially the tack of the teind sheaves of the lands and barony of Yester, comprehending Bothanis, Gamelstoun Ridishill, Muscowie, Heddinghill, town of Yester, Park of Yester, Muirburne Newtoun, Mains of Newtoun, Kidlaw, Aikiesyd, Belsibus, Skaitsbus and Munkland of Yester, barony of Newhall, comprehending Mains thereof, Woodhead and Woodfute, Bungub, Cauleschirled *alias* Hamercroce, Howden, the dwelling-house of the provest of Bothanis pertaining to Mr. Walter Hay, provest thereof and prebendar of the Rud Altar; which haill teinds, etc., were set in tack by said Mr. Walter to Alexander Paterson, servitor to Mr. John Hay, toun clerk of Edinburgh, and assigned by him to Mr. George Butler, who likewise assigned them to the said Dame Margaret Ker, with tack of the teind sheaves of the lands of Duncanlaw, Jedburghfield, Edderstoun and Cokeland, and for his better security the said Sir Andrew is to cause his said spouse set in tack to the said Lord the liferent conjunct fee and terce lands and teind sheaves for the term of her lifetime from Whitsunday 1618; and to assign whatsoever maills, ferme, etc., resting owing to her at the time of the said submission of the years 1616, 1617 and 1618; and decerns the said Lord to discharge them of the said sum of £40,000 and to pay to the said Dame Margaret 8000 merks yearly during her lifetime and to find caution for the payment thereof, and to relieve her of all duties imposed upon said lands of the year 1618 and yearly thereafter, and they to relieve him of all bygone duties and ordaining the said Lord to pay to them 32,000 merks; and to find caution therefor, and because the said Dame Margaret and her spouse have given annualrents and pensions out of the living of Yester, and in special to William Hay, Master of Yester, an annualrent of £500, etc., therefore they are decerned to relieve the said Lord thereof of all terms preceding 1618; also decerning the said Mr. George Butler to deliver to the said Lord all writs which he has of the lands of Edderstoun and Athmure, and said Alexander Paterson to renounce all right to said lands, teinds, etc., excepting the tack of the teinds made by him to said Mr. George Butler. (Written by John Dillapp (Dunlop), servitor to Mr. Thomas Nicolsoun, commissar of Aberdein). Dated at Edinburgh 28th December 1618. Witnesses, Sir William Ker of Blaikwood, Knight, Robert Richertsone of Pencaitland, James Tilloch, servitor to the arbiter, and said John Dillapp. (See Register of Deeds, vol. 281.)

Paper. Incomplete.

1215. Another Copy of same. Incomplete.

1216. *C.* 1618. Blank copy of Submission by Dame Margaret Ker, Lady Yester, with consent of Sir Andro Ker of Oxinhame, Knight, now her spouse, on the one part, and John, now Lord Hay of Yester, eldest lawful son to the late James Lord Hay of Yester, and taking burden on him for Robert Earl of Lothian, on the other part, to the sentence of —— Arbiters chosen by them anent the action depending before the Lords of Council and Session at the instance of the said first-named parties against the second-named parties for ejection from the Kirklands of the Bothans and lands of Kirkbank, and spoliation from the byres, girnel, etc. thereof and from their girnells in Haddington of certain corn, cattle, goods, etc., and all other questions debateable between them. (Written by —— Burnet, servitor to Andro Hay, writer. At —— the ——day of —— 16——.) Witnesses, ——.

Paper.

1217. 6th February 1619. Extract Registered Discharge by Andro Weich in Stewartoun to John Lord Hay of Zester of 400 merks, which the said Lord Hay was decerned by Decree of the Lords of Council and Session to pay to him for the like sum paid by the said Andro to Dame Margaret Ker, Lady Zester, assignee of the gift of the ward of the said Lord Hay, for the maills and duties of Haggen, Hamiltoun and Glenrusco, which before the decease of his late father were set by him in tack to the said Andro; the above sum being paid by Mr. William Haig in name of said John Lord Hay. (Written by Mr. George Dougall, servitor to Mr. John Hay of Easter Kennett, one of the Clerks of Session.) Dated at Edinburgh 6th February 1619. Witnesses, Mr. Andro Logane, Mr. Alexander Hay and the said Mr. George Dougall, servitors to the said Mr. John. Registered 6th February 1619. Extracted by J. Hay.

Paper.

1218. 12th March 1619. Extract Decree in the Action pursued at the instance of Dame Margaret Ker, Lady Yester, Sir Andro Ker of Oxnam, Knight, her spouse, and Mr. George Butler, their servitor, against Andro Ker of Fentoun, John Lord Hay of Yester, Mr. John Hay, Town Clerk of the Burgh of Edinburgh, and Alexander Paterson, his servitor, for reduction of Submission by said John Lord Hay and Sir Andro Ker and Dame Margaret Ker, his spouse, and George Butler, Mr. John Hay and Alexander Paterson foresaid, on 14th November last. The Lords decern (1) that the lands of Linplum and Wynden are not comprehended in the said Submission and Decreet Arbitral given by said Andro Ker of Fentoun thereon. (2) That Lord Hay has no right to the lands of Milkiestoun, Scrogis, Hoptoun, Tempilhill and Windilaws, but that they belong to the said Dame Margaret. (3) The said Lord Hay to procure the consent of said Mr. John Hay to the tack to be made by said Dame Margaret and her spouse to the said Lord of her liferent, conjunct fee and terce lands. (4) That the said Dame Margaret and her spouse have undoubted right to the whole profits of her conjunct fee lands of the year 1617 and preceding. (5) That the said Dame Margaret and her spouse assign the duties of her terce lands to the said Lord, so far as the same yet remains in tenants' hands, for the years 1616 and 1617, in regard to which she produced a note of her intromissions therewith, charge and discharge, from which she is assoilzied. (6) That she shall be held liable for any other intromissions not mentioned in said note. (7) That she shall deliver the discharges of her said intromissions to the said Lord, with the exception of the pension paid to James Hay, servitor to the said Lord, for which the said James is to appear and give his oath. (8) The said Dame Margaret to relieve said Lord of an annual-rent of £500 due to Sir William Hay, Master of Yester, out of the lands of the lordship of Yester for all years preceding 1617. (9) To deliver to him the discharges of all annual-rents, pensions, etc., paid out of said lordship prior to 1617 since 1609. (10) To deliver to him acquittances of the particular payment of furnishings and deburseements following, viz., 1000 merks paid for Robert Scot's liferent apprising of Edderstoun; £1551 paid to George Owstiane; £221 paid to

Thomas Ross, bailie in Edinburgh ; 1500 franks french money or 1950 pounds scots paid to Patrick Quhytlaw, merchant burgess of Edinburgh, in name of Andro Quhytlaw, his brother. The grant of Redemption of Cokkielaw ; 1000 merks paid to Lady Linplum as executrix to the laird, her husband ; a Bond of £133 : 6 : 8 paid to Andro Bryden "as due to her by my Lord's father" ; the teinds of the mill lands of Borthuik set by the minister thereof, for which there was allowance taken of 100 merks in the Article of Discharge of the year 1615. (11) Which writs said Dame Margaret is decerned to deliver to the said Lord, also Discharge by William Dik, merchant burgess of Edinburgh, for such sums as were furnished by him during his absence from the country, for payment whereof said William Dick compeared and gave his oath that he had received payment thereof. (12) Assoilzies said Dame Margaret from all action concerning the intertainment of Margaret, Agnes and Grissell Hays. (13) The said Dame Margaret to Deliver to said Lord all evidents of her conjunct fee and liferent lands and tacks of teinds and to give her oath thereupon. (14) The said Lord to give back to said Sir Andro Ker his bond and inventories, whereby he was bound to make forthcoming the writs which he had of the said Dame Margaret's conjunct fee lands after the decease of said Margaret. (15) The said Dame Margaret and her spouse having fulfilled that part of the Decreet Arbitral concerning the said evidents are decerned free thereof. (16) The said Lord to relieve her of the payment of the 3rd of 100 merks contained in her bond to the minister of Barro and of 200 merks contained in her bond to the minister of Bothans, etc. (17) The said Lord to discharge said Dame Margaret of the sum of £40,000 contained in said Decreet Arbitral. (18) The said Lord to pay to her and her spouse in conjunct fee and the heirs of said Sir Andro Ker the sum of £20,000 between the date of the decreet and Whitsunday 1619, in full satisfaction of 32,000 merks. (19) That the said Lord find caution therefor. (20) Any duties of said lands intromitted with by said Dame Margaret and her spouse of the year 1618 to be allowed to the said Lord out of the first of the 8000 merks decerned to be paid to her during her lifetime ; of which latter intromissions a note is produced by said Sir Andro Ker. (21) The Lords decern the discharges of the particular items thereof to be given to the said Lord Hay and to produce the pension granted by the late James Lord Hay of Yester to James Gray of 4 bolls wheat, that the said John Lord Hay may have inspection thereof. (22) If the said Lord Hay hereafter prove any further intromissions, the said Dame Margaret and her spouse shall be astricted accordingly. (23) Regulating payment of a proportional part of the said 8000 merks in the event of the death of said Dame Margaret. (24) That Lord Hay discharges her of all actions or questions which he may or can lay to her charge as intromissatrix with his rents of Yester or as executrix to the late James Lord Hay of Yester, her husband, and that Alexander Earl of Dunfermline, donator to the ward of the foresaid lands, be consenter thereto. (25) That what right and security either of said parties do and is decerned to be done, shall be done to each other "*Simul et Semell.*" (26) Assoilzies the said Lord Hay *simpliciter* from the said action. (27) That the annulling of the said Mr. George Butler's provision to the provestrie of Bothans contained in the first Decreet Arbitral shall not prejudice the tak of the teinds of the said provestrie set by Mr. Walter Hay to the said (Alexander) Paterson nor to the ratification thereof made by the said Mr. George Butler ; and (28) that the first Decreet Arbitral by said Andro Ker stand in full force and effect, except so far as altered by these presents. Signed by Alexander Gibson of Durie, writer to the Councill and depute to Sir George (Hay) of Liff, Knight, clerk of the Rolls Register and Council.

Paper.

1218A. 19th March 1619. Tack set by Mr. Patrick Turner of the teinds of the mill lands. (*Locharrat Inventary*, 1622 (end)).

1219. 5th June 1619. Inhibition at the instance of John Lord Hay of Yester against the heretors, fewars, etc., of the parish and Kirk of Bothans not to intromit with the teind sheaves thereof due to the complainer for the

year 1619 as assignee of James Hay in Yester, who had tack thereof from John Hereis, provost of the College Kirk of Bothans, with consent of the patron and prebendaries. Signetted at Edinburgh 5th June 1619. Signet attached within parchment ring. Signed R. Alschunder for A. H., and written by John Burnet, his servitor. Publication made 6th June 1619 at Bothans Kirk. Witnesses, William Hay in Yester, Philip Lowrie, Thomas Diksone, son to John Dikson, gardener at Bothans. Execution by John Thomson, messenger, on 6th June 1619. Witnesses as to publication.

Paper.

1220. 12th June 1619. Minute of the writs delivered to my Lord by my Lady for implement of Decreets Arbitral of her conjunct fee lands, terce, teinds, etc., consisting of 51 items dating from 1591 to 1618, of which 5 are marked as "wanting."

Paper.

1221. —— 16[19. Sasine on Charter by John Lord Hay of Zester to Christine Stewart, relict of (James Ker of Chatto, in liferent, and to James and) Andro Kers, their sons, of an annual-rent of 1605 merks 10 shillings 8 pence, out of the lands and barony of Zester, lying in the constabulary of Hadingtoun and shire of Edinburgh. Under reversion for 16,058 merks. Charter dated at Edinburgh 15th June 1619. Witnesses, Mr. William Haig and James Diksoun, servitors to the granter, John Ker, W.S., and Omiphrid Dowie, his servitor. Sasine dated at the ruined Castle of Zester about the hour of 2 a.m. —— day of —— 16— [*part of document cut away*].—Witnesses, Philip Lowrie, farmer in Zester, James Hunter, servitor to James Hay, bailie of the barony of Zester, James Mathesone, shepherd (*pastor*) in lie mains of Zester, and Henry Quheyt, indweller there. William Hay in Zester is bailie. Notary's name cut away, but in the docquet he mentions Omiphry Dowie, his servitor, so the notary would be John Ker, W.S.

1222. 22nd July 1619. Charter of Novodamus by King James VIth under the Great Seal, with consent of John Earl of Mar, Lord Treasurer, and Sir Gideon Murray of Elibank, Knight, Treasurer Depute, to John Govane of Cardrona, his heirs male and assignees whomsoever, heritably, of the lands of Aikerfeild Cardrono, lying in the parish and shire of Peebles; which lands formerly belonged to Marion Govane, only lawful daughter and heir duly and lawfully served and retoured to the late Patrick Govane, burgess of Peebles, and which she with consent of Hector Phynick, merchant, indweller in Peebles, her husband, resigned in favour of, and for new infeftment to be given to the said John Govane. To be held of the Crown in fee and heritage for ever, for payment yearly of one penny if asked in name of blench ferme. Dated at Halyrudhous 22nd July 1619, a.r. 52 and 17. Witnesses, James Marquis of Hamilton, George Earl Marshall, Alexander Earl of Dunfermline, Chancellor Thomas Earl of Melrose, secretary, Sir Richard Cokburne, younger of Clerkingtoun, keeper of the Privy Seal, George Hay of Nether Liff, clerk of the Roll, Register and Council, John Cokburne of Ormestoun, clerk of Justiciary, and John Scott of Scotstarvett, Director of Chancery, Knights. Written to the Great Seal 17th and sealed 18th August 1619. Great Seal appended almost complete.

1223. 30th July 1619. Charter by Mr. George Butler of Kirklands to John Lord Hay of Zester, his heirs and assignees whomsoever, heritably, of his lands of Edderstoune with pertinents lying in the shire of Peebles. Holding "*de me*" to the grantee in fee and heritage for ever. Paying yearly one penny scots, and the rights and duties contained in his infeftment and that of William Lord Hay of Zester and his predecessors, conform to obligation by

said Mr. George, dated at Edinburgh 30th July 1619. (Written by Mr. John Paip, younger, writer in Edinburgh.) Dated at Edinburgh 30th July 1619. Witnesses, Mr. William Haig of Bemersyd, Andrew Hay, W.S., and James Diksoun, servitor to the said Lord Hay.

Signed. No seal.

1224. 30th July 1619. Bond by Sir William Seytoun of Kylismure, Knight, to infeft Alexander Earl of Dunfermline, chancellor, his brother german, in that lodging and tenement of land lying in the street called the Maygate in the burgh of Dunfermline disponed to him by Patrick Murray of Perdewis, son and heir of umquhile James Murray of Perdewis, by Disposition of date 29th November 1616; in respect the said Sir William's name is only borrowed by the said Earl, to whom the heritable right of the said tenement only belongs, and who has paid the price given therefor. (Written by Thomas Crombie, W.S.) Dated at Edinburgh 30th July 1619. Witnesses, Alexander Thomsoun, servitor to the granter, Alexander and William Inglis, servitors to the said Earl, and the said Thomas Crombie.

Signed. Paper.

1225. 30th July 1619. Disposition by Mr George Butler of —— as assignee of the late Robert Scott, styled of Wamfrae, merchant, burgess of Edinburgh, in favour of John Lord Hay of Yester, of (1) Decreet of the Lords of Council and Session of date 20th July 1597 transferring the summons at the instance of said Robert Scott and the late Alexander Bryden in Kirksteid against the late William Lord Hay of Yester for violent spoliation from them from the lands of Kirksteid in the shire of Selkirk on 25th July 1586 "threttie score zowis price of the peice owerheid" 40s., 12 ky price of the peice 20 merks, "auchtein score of hoggis price of the peice ourheid 33s. 4d. in the said Robert Scott, assignee of said Alexander Bryden, and in Elizabeth, Margaret, Marion, Agnes, Beatrix and Grissell Hays, lawful daughters to the said William Lord Hay of Yester, and lawfully charged to enter heirs of line to him, their tutors and curators; and in umquhile James Lord Hay of Yester, brother, and he who was lawfully charged to enter heir of tailzie to him, passive; (2) Decreet of the said Lords of date 31st July 1601 given at the instance of said umquhile Robert Scott against the heirs-female above written, decerning the said William Lord Hay to have done wrong in the above-mentioned spoliation, and ordaining the said heirs-female to restore the goods; and (3) Decreet of said Lords of date 29th June 1602 decerning the said heirs-female to pay to said Robert the profits of the said goods yearly from 1587 to 1601; (4) Process of Apprising of date 7th April 1604 led at the instance of said umquhile Robert Scott against the said heirs-female by virtue whereof the lands of Edderstoun with pertinents, ground right and property, with tacks, etc., are apprised from them for 10,000 pounds as principal and 500 pounds of sheriff fie; with the reversions, bonds and condition of reversion granted in favour of said umquhile William Lord Hay, his heirs, etc., for redemption of the lands of Athmuire lying in the shire of Perth, or any annual-rents furth of the same, for 1000 pounds as principal and 50 pound of sheriff fie; (5) Contract dated 7th January 1609 between the said Mr. George Butler and the said umquhile Robert Scott; and because the said umquhile Robert Scott upon his comprysing of the lands of Edderstoun being infeft therein heritably, to be held of William Wallace of Johnstoune, superior thereof, the said Robert infeft the said Mr. George therein; therefore the said Mr. George binds himself to infeft the said John Lord Hay therein to be held of him in fre blench for payment of one penny and also of the superior, in like manner as he held the same. (Written by William Hamilton, servitor to Mr. William Haig.) Dated at Edinburgh 30th July 1619. Witnesses, Mr. William Haig, James Dicksoun and said William Hamiltoun.

Signed. Paper.

1226. 30th July 1619. Charter by Mr. George Butler of Kirklandis to John Lord Hay of Yester of his lands of Edderstoun with pertinents, lying in the shire of Peebles. Holding "*a me*" from the granter of his immediate superior for the rights and duties contained in the infeftment thereof made to the late William Lord Hay of Yester and his predecessors, in implement of Assignation and Obligation granted by the said Mr George to the said John Lord Hay, of date at Edinburgh 30th July 1619. (Written by Mr. John Paip, younger, writer in Edinburgh.) At Edinburgh 30th July 1619. Witnesses, Mr. William Haig of Bemersyd, Andrew Hay, W.S., and James Diksone, servitor to said Lord. (See No. 1223.)

Signed. No seal has been appended.

1226A. 31st July 1619. Item Band of speciall warrandice be the said Patrick Murray to the said Sir William Setone quhairby he oblidges him to give and deliver to the said Sir William sufficient, valid and lawfull infeftments and Sasines that may stand be law granted to his umquhile father and to Andrew Boswell, his author, of the said tennement and lodging flouing and proceeding from persones haveing ryt thairto to be keeped and used be Sir William and his forsaids, and failyeing thairof in speceall clause of warrandice of the said tennement to infeft him in the landis of Perdewes, Campsieknows, Langbank and Lymkilnhill. Dated the penult day of Jully 1619 years. (*Inventary of Dunfermline Writts*, 1699, No. 10.)

1227. 24th Sept. 1619. Discharge by Mr. George Butler of Kirkland to Dame Margaret Ker, Lady Yester, and Sir Andro Ker of Oxnam, Knight, her spouse, of all debts, etc., due by them to him, except 3000 merks therein contained. (Written by Mr. George Fraser, servitor to said Sir Andro Ker.) Dated at Jedburgh 24th September 1619. Witnesses, Mr. George Gray and said Mr. George Fraser, servitors to the said Sir Andro and Dame Margaret Kers.

Signed. Paper.

1228. 15th Nov. 1619. Minute of the Writs of Beltane, 15th November 1619. Containing 49 items dating from 1361 to 1591.

Paper.

1229. 2nd Dec. 1619. Copy Procuratory by John Lord Hay of Yester appointing Andro Cuninghame in Garrochstoun his forester and keeper of his woods, parks, and hainings within the lands and barony of Snaid, lying in the shire of Dumfries. (Written by William Hamiltoun, servitor to Mr. William Haig.) Dated at Edinburgh 2nd December 1619. Witnesses names not inserted. Unsigned.

Paper.

1230. *C.* 1619. Minute of Actions intented by Sir Andro Ker from the persuit quhairof if he doe not fall my Lord will think hard that he hes delayed his persuit before the Council out of the hope that William Murray bred him that other actions should cease. With reasons wherewith my Lady and Sir Andro are to be pressed to forbear these actions.

(1) Action of Reduction, my Lord against Bernard Aytoun.
(2) Action against the tenants of Beltane, Hedinghill and Parke for their whole straw.
(3) Action for the fermes of the half mains of Newtoun, against John Hay in Galmestoune.

Paper.

1231. 7th Jan. 1620. Sasine on Charter by John Lord Hay of Zester to Isabella Scot, relict of John Scot in Ladhope, of the 3rd part of the lands of Mutra called Meiklehoip, with perteinents, lying in the shire of Selkirk. (Written by Patrick Glen, servitor to Robert Pringill, W.S.) Dated at Edinburgh 5th June 1618. Witnesses, Andro Hay, writer, Mr. William Hay and James Diksoun, servitors to the granter, Mr. Richard Douglas, fiar of Lintoun, and the said Patrick Glen. Sasine given on the ground of said lands about the hour of 1 p.m. 7th January 1620. Witnesses, Andro Laing in Mutra, indweller, John Tod there, Adam Dodis in Swinehoip, and Andrew Laidlaw, indweller in Chapellhoip. William Lous of Plora is baillie and the said Mr. Richard Douglas is attorney for said Isobell. Notary's docquet and mark cut away.

1232. 27th Jan. 1620. Precept of Clare Constat by Thomas Earl of Melros directed to James Hay, bailie of the lordship of Yester, for infefting George Hay, now of Monktoun, as lawful and nearest heir of the late George Hay of Mynzeane, his grandfather, in the lands of Monkland, lying in the lordship of Yester, shire of Edinburgh and constabulary of Hadingtoun. To be held of the granter in feu-ferme for yearly payment of thirty shillings, and compearing in the three chief courts annually held at Melrose, if required, and duplicating the said feu duty at the entry of each heir, and failing payment of said duty for three consecutive years, the said infeftment to be void. (Written by Mr. George Davidsoun, servitor to Thomas Couttis, W.S.) At Edinburgh 27th January 1620. Witnesses, John M'Cairtnay, Mr. James Crawfurd and David M'Culloch, servitors to the granter. Signed. (Seal of the Earl of Melrose, complete.)

1232A. 26th Feb. 1620. Item ane instrument of seasing to Jon. Murray of Halmyre of the forsaid landis and baronie of Drumelyear witht the pertinents proceiding on ane chartour granted be the said James Tuedie (of Drumelyear) to him thereof, daittit 1 febry 1620 yeirs. This instrument of seasing forsaid is daittit 26 febry 1620 yeirs. And under the signe and subscriptione of William Cockburne notar publict. And registrat in the generall registre, etc. (8 April thereafter by Mr. Francis Hay).

Item ane extract, etc. thereof. (Nos. 54 and 55, 1674, *Drumelyier Inventory.*)

1233. 29th Feb. 1620. Bond by Ninian Ferguson of Braikinsyd for himself, and taking burden on him for John and William Walless there, that at the coming of John Lord Yester in the country to the lands of Snaid they will observe whatsoever shall be thought expedient by John Hay of Smeithfield. Mr. William Haig of Bemersid, for the part of the said Lord, Arthur Cuninghame of Craignestoun and John Fergusone of Blakstoun, for the part of said Ninian, etc., anent his removing from the half merkland called Mullyaird, half merkland called Chappell land and half merkland called Dykheid, extending to a 20s. land of the £3 land of Braikinsyd, in the barony of Snaid. Dated at Edinburgh 29th February 1620. Witnesses, Sir William Ker of Blaikupp, Knight, James Ker, his brother, and Mr. George Butler of the Kirkland of Boltoun, and William Hamiltoun, writer of the Deed. Ninian Ferguson signs by Henry Osburn, notary, attested by John Ker, co-notary.

Paper.

1233A. 17th March 1620. Item ane chartour be Thomas Earl of Melros, heretabill proprietar of the lordship and baronie of Melros, to James Tuedie of Drumelyear, his aires and assigneyis, of the forsaidis landis of Hopcartone witht the pertinentis (in the barony of Drumelzier). To be holdine

of the disponer, his aires and successors, in few and heritage ffor ever ffor the yeirlie payment of the few dewtie theirin mentioned, 17 March 1620 yeiris. Item ane instrument of seasing following, etc., 14th April 1620. Donald Cuninghame, N.P. Registered 15 April. (Nos. 58 and 59, 1674, *Drumelyeir Inventory.*)

1233B. 17th March 1620. Item ane contract of woodsett betuixt the said James Tuedie of Drumelzear one the ane pairt and Jon. Murray of Halmyre, merchant burgess of Edinburgh, on the uther pairt, anent the ryt and conveyance maid be the said James Tuedie to the said Jon. Murray, his aires and assignayis, of the forsaid lands of Hopcartone witht the pertinentis. And of that pairt of the saidis land and baronie of Drumelyear with the pertinents contigue adjacent to the forsaids lands of Hopcartone possessed in maner mentioned in the said contract quhilk is of the dait 17 March 1620 yeirs. Item ane chartour following upon the forsaid contract and for implement therof be the said James Tuedy to the said Jon. Murray and his forsaidis of the forsaidis lands of Hopcartone witht the pertinentis to be holdine of the disponer of the superior his aires and successors ffor the yeirlie payment of the few dewtie therin mentioned daittit 17 March 1620 yeirs. Item ane uther chartour, of the same tenor and date. Item instrument and seasing following etc., 14 April 1620. Donald Cumminghame, N.P. Registered 15 April 1620. Item another instrument, etc., a duplicate. Two extracts of these. Item ane Chartour of Confirmatione granted be Thomas Earle of Melros, superior, etc., 21 March 1620. Item ane lettre of reversione be the said Jon. Murray to the said James Tuedy of the forsaid lands of Hopcartone and uthers daittit 22 May 1620. Registrat in the generall registre of seasings, etc. 3 June thereafter. (Nos. 60 to 68, 1674, *Drumelzier Inventory.*)

1234. 16th June 1620. Tack by John Lord Hay of Yester to Andro Cunynghame in Garrestoun of the 2 merkland called the Over tuamerkland lying in the Barony of Snaid, parish of Glencairn and shire of Dumfries, presently possessed by Jonet Ferguson and Robert M'Gown, for the lifetime of said Andro from Whitsunday 1619, for yearly payment of 20 merks. Dated at Edinburgh 16th June 1620. Witnesses, Master William Haig and James Diksoune, servitors to the granter.

Signed. Paper.

1235. 16th June 1620. Copy of foregoing Tack. No date or witnesses in deed, but dated on back 16th June 1620.

Paper.

1236. 22nd June 1620. Factory by Mr. Andro Mansoun, prebendary of the prebend of Blaus, called Marie altar, founded and situated in the College Kirk of Bothans, to John Lord Hay of Yester, for uplifting of £10 : 3 : 4 of the feu duties of the lands of Blaus, belonging to the patrimony of the said prebend, and other duties, during the granter's lifetime. (Written by Mr. George Butler.) Dated at Edinburgh 22nd June 1620. Witnesses, the said Mr. George Butler, John Andersone, messenger, James Pebils, servitor to Alexander Cunyngham, writer.

Signed. Paper.

1237. 29th July 1620. Bond by Sir Johne Ker of Jedburgh, Knycht, and Johnne Ker of Langnewtoun, his eldest son and apparent heir, to Maister Symone Ramesay, indweller in Edinburgh, for £760 scots, with an annual-rent of £10 for each hundred pounds of the said principal sum, if not repaid by

Martinmas 1620, and until payment. Written by Mr. Richard Kene, writer in Edinburgh. Dated at Edinburgh 29th July 1620. Witnesses, Patrik Halieburtoun and James Storie, servitors to the said Sir John Ker.

Signed. Paper.

1238. 22nd Sept. 1620. Sasine following on Charter of Confirmation (No. 1181). Sasine dated 22nd September 1620. Witnesses, Robert Hude, servitor to Mr. David Ogill, minister at Barro, Robert Broun, servitor to Patrick Gairdner in Barro, and John Broun, servitor to George Geddes there. Mr. George Fraser, servitor to Sir Andrew Ker of Oxnam, Kt., and Mr. James Cokburn of Wester Monkrig are bailies and the said Patrick Gairdner is attorney for the said Mr. Alexander Home. Mr. James Gray is notary. Registered at Edinburgh 16th (*sic*) November 1620. P.R.S. Edin., vol. IV fol. 32.

1239. 20th Dec. 1620. Crown Precept directed to James Hay, bailie, in Yester, for infefting John Lord Hay of Zester in the lands, lordship and barony of Zester, with castle, tower, advocation and donation of the Collegiate Kirk of Bothanes, provostry and prebendaries thereof, etc., Mains of Park, lands of Gammelstoun, Giffertgait and superiority thereof, lands of Linplum, viz. 4th part thereof in property and the rest in superiority, lands of Duncanlaw (except the lands mortified to the Church), lands of Baro and superiority thereof, 4th part of the town and lands of Blaus, with pertinents, lying in the sheriffdom of Edinburgh and constabulaary of Hadington, lands and barony of Lochquharratt, with mill, etc., lying in the shire of Edinburgh principal, lands of Eister Hoprew, Edistoun and Meggott, lands and barony of Oliphercastell, Lyne and Wester Hoprew, lands of Jedburghtfield and Castle of Neidpeth, half lands of Glenrusco, lying in the shire of Peiblis, lands and barony of Snaid, lying in the shireffdom of Dumfries, and the 4th part of the lands and barony of Polgavie in the sheriffdom of Perth, erected in one whole free lordship and barony to be called the lordship and barony of Zester; and ordaining one sasine takin at the Castle of Zester to be sufficient for any and every part of the saids lands, etc., duly and lawfully apprised from the said John Lord Hay of Zester at the instance of Mr. John Hay, common clerk of the burgh of Edinburgh, in satisfaction of 15,000 pound scots, as part of 20,000 pounds scots, doted and promised by the late James Lord Hay of Zester, his father, and Dame Margaret Ker, his mother, to Alexander Earl of Dunfermline with Dame Margaret Hay, his spouse, their daughter, conform to Contract Matrimonial between them dated at Bothanes, Callendar and Newbotle 7th, 11th, 13th and 15th November 1607, and Registered in Books of Council 20th February 1608, and transferred in the said John Lord Hay *passive* by Decree of the Lords of Council on 10th June 1618; and which sum was assigned to the said Mr. John Hay by the said Earl on 18th June 1618 with the sum of 750 pounds for sheriff fie, of which sums the said Mr. John Hay made payment to George Ker, messenger and sheriff in that part, as more fully contained in the said process and decree of Apprising containing Precept from Chancery for infefting the said Mr. John Hay in the said lands, etc., conform whereunto he was therein infeft on 27th October 1618. Holding of the Crown as freely as the said John Lord Hay held the same before the said apprising. Likeas also the said Mr. John Hay, confessing the said lands, etc., to be redeemed, renounces the same in favour of the said John Lord Hay of Zester. At Edinburgh 15th December 1620. Dated under the testimonial of the Great Seal at Edinburgh 20th December 1620 and of the King's reign 54th and 18th.

Fragment of quarter seal appended, and on the tag is written a note to the effect that on 13th January 1621 James Hay, baille in Zester, gave sasine to Lord Zester of the lordship of Zester at the Zet of the Castle, before these witnesses, Robert Dickesone, son to John Dickesone of Ormestoun, John Hay in Forrestersait, William Miller, servitor to the said Lord, and James Wilsoun, servant to Andrew Hay, notary.

1240. *C.* 1620. Minute of Writs concerning a markland lyand in the Scheillis called Farnhauch, Flures and Bordelhauch, being a part of the baronie of Glen, disponed by Cuninghame of Polmais, superior thereof. Consisting of seven items dating between 31st March 1478 and 27th March 1510.

No date. Paper.

1241. 5th Jan. 1621. Discharge by Sir William Hay of Linplum, Knight, second lawful son of umquhile James Lord Hay of Yester, with consent of his interdicters, Sir Gideon Murray of Elibank, Knight, Thesaurer Depute of Scotland, William Murray of Dunearne and Mr. George Butler of Kirkland, in favour of John Lord Hay of Yester of an annual-rent of 500 pounds, being the redemption price of £2000, in security of 20,000 pounds contained in Contract of Marriage between Alexander Earl of Dunfermline, on the one part, and the late James Lord Hay of Yester, Dame Margaret Ker, his spouse, and Margaret Hay, their lawful daughter, dated 7th, 11th, 13th, 15th November 1607, and registered in the Books of Council 20th February 1608, afterwards assigned by the said Earl to the said Sir William in security of said annual-rent. (Written by Alexander Hervie, servitor to Robert Alschinder, writer.) At Edinburgh 5th January 1621. Witnesses, George Ker, one of the gentlemen of H.M. Guard, Mr. William Haig, servitor to John Lord Hay of Yester, and Nicoll Stevensone, servitor to the said William Murray.

Signed. Paper.

1242. 13th Jan. 1621. Sasine on Precept from Chancery No. 1239. Sasine dated 13th January 1621. Witnesses, Robert Dickisone, eldest lawful son of John Dickisone of Ormestoun, John Hay in Forrestersait, William Miller, servitor to the said Lord, and James Wilson, servitor to the notary, Andrew Hay, clerk of the diocese of Glasgow, a.r.n.p. Registered in G.R.S. 18th February 1621, Vol. VII, fol. 209, being presented by Mr. William Haig, servitor to said Lord Hay, and registered by Mr. Francis Hay, depute to Sir George Hay of Kinfauns, Knight, Clerk Register.

1243. 15th Jan. 1621. Sasine following upon Precept of Clare Constat No. 1232, dated 15th January 1621. Witnesses, Robert Dickiesone, servitor to John Lord Hay of Yester, James Dicksone, smith in Yester, Robert Aitchesone, his servitor, and James Wilson, servitor of James Hay, bailie of the lordship of Yester. Andrew Hay, clerk of the diocese of Glasgow, is notary. Registered at Edinburgh 1st March 1621, Vol. IV, fol. 103.

1244. 22nd Feb. 1621. Copy of No. 10.
22nd February 1621. Copy of No. 91.
Endorsed Alantoune gratis.

one Ledloch ane entry the years dewty - - -	£333	6	8
tuo Eisterid likways the years deuty - - -	333	6	8
tuo Torbrex and Holks being a year - - -	666	13	4
tuo Stain wherof he hes a charter to be had fra Udsone of me is - - - - - - -	666	13	4
one Hungriehile is yearly worth - - - -	180	0	0
	£2180	0	0
The superiority of thes worth as much if sold and of Alantoune the years dewty being - - -	1000		
Yit the superiority is worth the years dewty Inde for entry and seal of superiority is - - -	5330 lib.		

Paper.

1245. 22nd Feb. 1621. Another copy of No. 10.

1246. 23rd May 1621. Letters of Charge at the instance of John Lord Hay of Yester against Dame Margaret Ker, Lady Yester, his mother, and Sir Andro Ker of Oxname, Knight, now her spouse, Mr. George Butler, their servitor, and Mr. John Hay, Town Clerk of Edinburgh, and Alexander Paterson, his servitor, for fulfilling the articles of Decreet Arbitral No. 1214, as also in the Decree of Explanation No. 1218, for clearing whereof she gave in to the Lords a note of the particulars of her intromissions with the terce duties of the lands of said lordship for the said two years; first received out of Tueddaill 1156 pounds 13s. 4d.; out of Yester 150 pounds 15s.; out of Gamelstoun and the nether Corenmylne and two lands of Howaden 329 pounds; out of Duncanlaw 83 pounds; from Cristiane and George Wedderstounes in Yester and William Kemp in Riddishill for 1617 duty 83 pounds 6s. 8d., and from Barnie Aytoun 21 pounds 10s.,—in all £1924, 4s. scots. The Lords also decern her to relieve said Lord Hay of an annual-rent of £500 due to Sir William Hay, Master of Yester, out of said lands. Given under the Signet at Edinburgh 23rd May 1621. Signetted 23rd May 1621. Signed A. Hay. Endorsed is an execution by John Oliver, messenger, dated 1st June 1621, to which Robert Elder, messenger, and John Brown, post indweller in the Canongate, are witnesses.

Paper.

1247. 7th June 1621. Summons at the instance of Sir Andro Ker of Oxenam, Knight, and Dame Margaret Ker, Lady Zester, his spouse, against John Lord Hay of Zester to compear before the Lords of Council on 18th June next bringing with him Decreet Arbitral given by Andro Ker of Fentoun of 29th December 1618, registered in Books of Council 19th January 1619, and Decree of the Lords of Council on 12th March 1619, to hear and see the same suspended *simpliciter* upon the complainers inasmuchas the clauses of saids Decreet had been fulfilled by them, and suspend other letters till the 24th of said month, because Sir Alexander Ker of Phairnieherst, Knight, became cautioner for the complainers. Signetted 7 June 1621.

Paper.

1248. 13th June 1621. Letters of Inhibition at the instance of John Lord Hay of Yester against the parishoners, feuars, taxmen and others of the teinds and lands following, viz., the lands and lordship of Yester, lands of Ederstoun, Jedburghfeild and Cokieland, with the small teinds of hay, lint, hemp, cheis, butter, guis, grys, stirke, staig, etc., which the vicars of Peebles have been in use to uplift of the said lands and of Burrowfeild in parish and shire of Peebles, also of the toun and lands of Bithans, Gennotstoun, Reidscheill and Muskowie, Hedinghill, toun of Yester Maynes and lands called Park of Yester Munburne, lands and barony of Newtoun, comprehending toun and Maynes of Newtoun, Kidlaw, Aikisyd and Belibus, Skaittisbus and Monkland of Yester, lands and barony of Newhall, comprehending the Maynes of Newhall and mill lands thereof, Wodheid and Wodfute, Bongrub, Cauldschulled *alias* Hammercroce, and lands of Howden, all lying in the parish of Bothans; town and lands of Duncanlaw, Birkbank and Sheriffsyd, Waldoun and Forrestersait in the parish of Barro, lands of Beltoun pertaining to the prebendarie thereof, which is one of the prebendaries of the College Kirk of Dunbar, and the lands of Kilpallet in the parish of Whittinghame, for security of said teinds to the complainer. Dated at Edinburgh 13th June 1621. Signetted 16th June 1621.

Paper.

1249. 4th Jan. 1622. Discharge by Mr. James Michelsone, minister at Bothanis, to John Lord Hay of Zester for 800 merks, being his stipend for 1620 and 1621, which he received from William Geddes in name of the said Lord

Hay. Dated at Bothans 4th January 1622. Also for bread for communion for the same years. Holograph of the granter.

Paper.

1250. 9th Jan. 1622. Letter by Andro Cunyghame to Mr. William Haig of Bimersyd. Rycht assurit goud freind my dewtie rememberit ye sall resave ye letters and executioune thairof aganest Johne Broune it chargit nane bot himselfe becawsse hie leit and skaithe prencipall contrautt and hie will prodouce it I will wysche yat he wald trawell and lend geiffe he can get yat matter under submissioune betwixxt me lord and ye Lard Dromelangrigh for albeit hie hes gerit the haill parrochin geiffe bandis of c poundis of ye markland he hes takin bot about a c mark and tenn or thairby of soume yat hes payit quhais markland is worthe threid of oni marklands and in speciall hie hes takin fre ye Lard Dallquhoit bot viii^c mark for a fywe pound geif it com to submissioune I wald com to ye toune geife ye thouch I could doe ony goud in ye meinetyme I beseich yow tak goud tent yat thay get not ane decreit of remit newertheless of all the band I am sertandlie informait our mynister set a take to ye Lord Droumlangryk in Mr. Thomas Hoipis chalmer half ane yeir befoir the parrochinner deschargit the band ze sall adwyse of ye best of this and qahat he derrit me to do heirin aquent me with this beirar. I wald hawe comit meselffe bot I protest to God I belew me lord sall tyne ye mylne for this last storme has brok in out one hall watter fre hie and I hawe attit with all that I can do and yeit asse we sie vetatioume of we man be . . . so louking for your ansswer heirin with zis beirar maist humlie I tak my leuh and commitis you to God. Your assuris goud freind to his power. ANDRO CUNYGHAME.

Gairdostoune ye ix of Janowar 1622.

Endorsed.—This rycht assurit goud freind Mr. Willeame Haige of Bemersyd this day.

Paper.

1251. 5th March 1622. Minute of the Writtes of Locharret contains 28 items dating from 1418 to 1586, with other five items added dating from 1619-31. Dated on back 5th March 1622.

Paper.

1252. 5th March 1622. Minute of Writtes containing the progress of my Lord's rightes to 2 merkland of a 5 merkland of Terrarane of parochin of Glencarne. Containing 15 items dating from 1535 to 1554 and a bunche conteaning 20 peices of paper of processes betwene the Lord Zester and Lag and between the Lord Zester and Mr. George Hay of Minzean during the reign of King James Vth, 5th March 1622.

Paper.

1253. 6th March 1622. Inventory of the Writs of the barony of Olifercastel, minuted 6th March 1622. The writs date from 1395 to 11th August, 16*32* (*sic*). They number 50 in all, and those numbered 4, 6, 14, 15, 18, 19, 20 30, 34 and 40 are marked as wanting.

Paper.

1254. 7th March 1622. Minute of the Writs of Athmure, comprising 31 items dating from 1454 to 1622, to which is added a memo that the lands of Athmoor were sold to William Duncan in 1662, and an inventory of the writs delivered is subscribed by him 19th December 1662, and the writs that are wanting delivered up or extant are marked so on the margin of this inventory.

Paper.

1255. 8th March 1622. List of Reversions, Redemptions, etc., minuted 8th March 1622, numbering 22, and dating from 14th December 1452 to 8th May 1575, affecting the lands of Locharret Mains, Wester Hoprew, Athmure, Bara, Taggarstoun, Park, Laggan, Aflekill, Currie, Comastone in the Snaid, Galmestoun, Linplum, Duncanlaw and Heuch.

Paper.

1256. 11th March 1622. Inventory of Retours dating from 6th April 1430 to 10th October 1583; the items are 18 in number, 11 of which are marked as wanting. The inventory is dated 11th March 1622.

Paper.

1257. 14th March 1622. Inventory of Writs relative to an annual-rent of 4 merks out of the lands of Newtoun dating from 9th August 1471 to 14th October 1543. The items are 12 in number. The inventory is dated 14th March 1622.

Paper.

1258. 16th March 1622. Inventory of Writs relative to the lands of Heuch dating from 8th September 1576 to 10th September 1577. The items are seven in number. The inventory is dated 16th March 1622.

Paper.

1259. 3rd April 1622. Precept of Clare Constat by Francis Earl of Erroll, Lord Hay and Slaynes, Constable of Scotland, for infefting John, now Lord Hay of Zester, as nearest and lawful heir-male of the late James Lord Hay of Zester, his father, in the lands of Aithmure lying in the shireffdom of Perth, which hold of the granter in chief for yearly payment of one penny silver, at the Kirk of Erroll, in name of blench ferme if asked. (Written by Patrick Scott, servitor to Andrew Hay, W.S.) Dated at Edinburgh 3rd April 1622. Witnesses, William Lord Hay, eldest son to the granter, Sir Alexander Hay of Delgatie, Knight, Alexander Davidsone and John Hay, servitors to the granter.

Signed. The seal of the Earl is appended, right edge slightly broken.

1260. 13th April 1622. Sasine on Precept of Clare Constat No. 1259, dated 13th April 1622. Witnesses, John Duncan, "hortulano," in Nether Athmwre, Edmond Hay, uncle of Peter Hay of Leyes, Edmond Jacksoun and David Cok, "colonis" in Nether Achmuir, William Haitlie, clerk of the diocese of Dunkeld, a.r.n.p., etc. Gilbert Monorgund in Siesyde is bailie. Registered at Edinburgh 24th May 1622. (G.R.S., vol. 10, fol. 121)

1261. 16th April 1622. Precept of Clare Constat by John Lord Hay of Zester, baron of the barony of Olivercastle, directed to Mr. John Young, minister of the Word of God at the Kirk of Glenquhome, his bailie in that part, for infefting Mr. James Hay, now of Barro, as lawful and nearest heir of the late Mr. William Hay of Baro, his father, in the lands of Craigkingildures, lying in the barony of Olivercastell and shire of Peebles. To be held of the granter in chief. (Written by Patrick Scott, servitor to Andrew Hay, W.S.) Dated at Edinburgh 16th April 1622. Witnesses, Sir William Hay of Linplum, Knight, brother of the granter, and the said Andrew Hay.

Signed. Granter's seal gone.

1262. 24th April 1622. Charter by Mr. James Hay of Baro, with consent of John Lord Hay of Zester, his superior, to Mr. John Hay, common clerk of the burgh of Edinburgh, in implement of a contract between them of the date hereof, of an annual-rent of 450 merks out of the lands of Barro in the shire of Edinburgh, or the lands of Craigkingildures in the shire of Peebles; to be held of the granter in free blench ferme fee and heritage for ever, for yearly payment of one penny scots if asked. Mr. John Young, minister at Glenquhome, is bailie named in the precept. (Written by James Douglas, servitor to Andrew Hay, W.S.) Dated at Bothanis 24th April 1622. Witnesses, Mr. William Haig of Bemersyde, the saids Andro Hay and James Douglas.

Signed.

1263. 24th and 26th April 1622. Extract Registered Contract, dated at Bothanis and Edinburgh 24th and 26th April 1622, between Mr. Johne Hay, common clerk of Edinburgh, on the one part, and Mr. James Hay of Barro, with consent of John Lord Hay of Yester, his superior, on the other part, narrating that the late Mr. William Hay of Barro, father of the said Mr. James, was owing to Mr. Thomas Boyd, minister at Eglisham, 3000 merks, which sum the said Mr. John Hay binds himself to pay, and also to pay to said Mr. James £1000 for performing of certain his necessary business, making in all 4500 merks; in security of which the said Mr. James, with consent foresaid, binds himself to infeft said Mr. John Hay in an annual-rent of 450 merks out of his lands of Barro in the shire of Edinburgh, or out of Craigkingilduris in the shire of Peebles. Holding of the granter in free blench for payment of one penny yearly; with clause of warrandice, and the said Mr. John is to grant letter of Reversion containing the said sum of 4500 merks. (Written by James Douglas, servitor to Andro Hay, writer.) Witnesses, Mr. William Haig of Bimersyde, the said Mr. Andro Hay, and James Douglas and John Hay, servitors to the said Mr. John Hay. Registered at Edinburgh 10th January 1624. Extracted by Mr. Alexander Gibsoun, younger of Durie.

Paper.

1263A. 24th and 26th April 1622. Original of foregoing Contract, much wasted.

Signed. Paper.

1264. 29th April 1622. Sasine following on Charter No. 1262. James Williamsone, burgess of Peebles, is attorney for said Mr. John Hay. Done on the ground of the lands of Craigkingildures between the hours of 8 and 9 a.m. 29th April 1622. Witnesses, Walter Hunter in Polmude, William Harper in Chappelkingildurres, David Welsche in Craigkingildurres, and James Welsche, his son, there, and Henry Forrester, notary public and burgess of Peebles. Andrew Hay of the diocese of Glasgow a.r.n.p. Registered at Edinburgh 28th June 1622. (G.R.S., vol. 10, fol. 250.)

1265. 29th April 1622. Sasine on Precept of Clare Constat (No. 1261) by Mr. John Young, minister of the Word of God at the Kirk of Glenquhome, bailie. Sasine dated 29th April 1622. Witnesses, Walter Hunter in Polmude, William Harper in Chappelkingildurres, David Welsche in Craigkingildurres, James Welsche, his son, there, and Henry Forrester, notary public and burgess of the burgh of Peebles. Andrew Hay, clerk of the diocese of Glasgow, a.r.n.p. Registered 12th June 1622. (G.R.S., vol. 10, fol. 159.)

1266. 11th May 1622. The landis and baroneyis of Jedburgh, Maxtoun, Langnewtoun, Lyntoun, Lyndis, and otheris pertening to Sir John Ker of Jedburgh, Knycht, and John Ker of Langtoun his soune ar apprysit fra thame

at the instance of Alexander Stewart the 4 of July 1621, for the particular sowmes of money auchtand be thame to the particular persons underwritten quha hes maid the said Alexander Stewart their cessioner and assigney to the same ; viz. Sir John Prestoune 7350 merks for his part of £20,000 auchtand be Sir John Ker and his sone to Sir James Dundas, Sir John Prestoun, Mr. Alexander Seytoun, Mr. John Cant and Mr. Symone Ramsay equally. Sir John Prestoun 4500 merks, by Obligation. Mr. John Dempster 12,000 merks. James Stevensone burgess of Edinburgh 3000 merks.

Upon the XI day of May 1622 the legal reversioun of the foresaid landis and baronyie and otheris pertening to the saids Sir John Ker and John Ker his sone were apprysit at the instance of the said Alexander Stewart for the other sums following disponed to said Alexander, viz. :—10,000 merks due to John Ainslie and John Murray, 3000 merks due to Mr. Alexander Levingstoun and his spouse, 3500 merks due to John Eistoun of ——, 700 merks due to Arthour Rae, 3000 merks due to Sir James Lundell, 2000 merks due to Mr. James Aytoun, 1000 merks due to Mr. James Aytoun. Advyse weill tutching the expenses of the apprysinges and extend heighe becaus yai ar to be payit and caus send the double of the premises to the Earle of Lowthiane Keipand this besyde yourselff.

Paper.

1267. 17th and 18th May 1622. Executions of Summons by John Caldwall, officer, (1) against Andro Cunynghame of Birkschaw to compear on 2nd June next before the Lords of Council and Session, in the Tolbooth of Edinburgh, to hear witness had against him for the violent profits of the lands of Dardaroch. Witnesses, Andro Cunynghame in Garrochstoun and William Walkar in Corsfeild. (2) Against Andro Kirkco in Peristoun, Alexander Greirsone of Locthequair, Andro Smythe in Poundeland, Charlleis Herreis in Gillistoune, Jone Makgoune in Owerquhytsyd, Gilbert Maxwell in Stremequhein and Hew Curroir in Gelistoune, to compear on said day and place to bear leill and suthefast witness as to the avail of the said violent profits. Witnesses, Andro Cunyngham in Garrochstoune, Johne Cunynghame there, Johne Halyday in Gaitsyd.

Paper.

1268. 28th June 1622. Discharge by Alexander Ogilvie as having Commission from William Jameson, collector depute, of the first term's payment of the taxation granted to H.M. in the month of August last, within the shires of Roxburgh, Selkirk, Peebles and bailliary of Lauderdaill, to Mr. George Butler in name of John Lord Hay of Yester, Sheriff of Peebles, for £404, 15s. in complete payment of the said term's tax of the shire of Peebles. Dated at Edinburgh 28th June 1622. Witnesses, George Gibson, servitor to Thomas Crombie, writer, and George Merser, servitor to the Laird of Pilrig. The Sheriffdome of Peiblis extendis termelie to j^m lxxxix^lib xvs.

Signed. Paper.

1269. 10th Oct. 1622. Grant of Redemption by Henrie Sim in Athmure, John Duncan there, Cristane Cwthbert, his spouse, Gilbert Duncan, sone and air to umquhill Andro Dwncan, procreat lawchfullie betwix him and umquhile Issobell Spens his spous there, Johne Makkye, sone and air to umquhile Johne Makkye, procreat lawchfullie betwix him and umquhile Agnes Jacksoun, his spouse, Robert Barrye, sone lawchfull and air to umquhile David Barrye there, Edmond Jackson there, David Cuik, sone and air to umquhile David Cuik, procreat lawchfullie betwixt him and umquhile Jonet Sim his spows, and Johne Duncan, oy and air to umquhile Johne Duncan in Over Athmure and Lwx Fwrde his spouse, all tenants of the lands and townes of Over and Nether Athmure, lying within the lordship of Erroll and shire of Perth, to John Lord Hay of Yester, sone lawchfull and air to umquhile James Lord Hay of Yester, who was german brother and air to

umquhile William Lord Hay of Yester; whereby for the sum of 1700 merks they resign the lands and annual-rents following, viz. the orchards, orchardlands, etc., in the territory and toun of Athmure, as principal, and an annual-rent of 8 bolls wheat and 8 bolls beir out of the lands and town of Beltoun, in the constabulary of Haddingtoun and shire of Edinburgh, first analiit the twa part of the said lands to the late Sir George Haliburtoun of Pitcur, Knight, thereafter by him to the late Peter Hay of Leyes, and thereafter to the said (*sic*) umquhile Gilbert Monorgund in Siesyde; and the 3rd part of said lands first sold by the late James Small and Elizabeth Blair his spouse in liferent and the late James Small their son heritably, and thereafter by said late James Small to the said late Gilbert Monorgund; also of the said annual-rents the two part of them were first analiit to the said Mr. Peter Hay and the third part of them to the said late Gilbert Monorgund, the foresaid two part being afterwards sold by said Peter Hay to said Gilbert, who thereafter made alienation of the orchard, orchardlands, etc., sometime occupied by the father of the said Henry Sim, as principal, and of the 8 bolls quheit and 8 bollis beir, as warrandice, to the said Henrie, and the respective part of said lands annual-rents to the other tenants and occupiers above named; who thereupon renounced the same in favour of said John Lord Hay. (Written by William Haitlie, notar in Balgay.) Dated at Nether Athmure 10th October 1622. Witnesses, Robert Turnbull of Bogmiln, Gilbert Monorgund in Siesyde, Andro Monoregund, James Monorgund, his german brether, Thomas Duncan in Nether Athmure, Mr. Archibald Allan in Rait, and the said William Haitlie, notar. John Duncan is the only granter who signs with his own hand, the others sign by the notary because they cannot write.

Paper.

1269A. 15th Oct. 1622. Item ane renunciation be the said James Tueidie to the said Jon Murray of the abovewrittne reversion of the lands of Hopcartone and uthers, daittit 15 October 1622 yeirs. (No. 69, 1674 *Drumelzier Inventory.*)

1270. 1622. Item auchtand be my Lord Yester to umquhile Mr. George Butler the time of his deceis and given up in testament be the defunct and quhilk is confirmit.

Item for his pensioun twelff bollis ait meill and tuentie bollis cheritit beir of the Cropts and yeiris of God 1619, 1620, 1621, and 1622 pryce of the boll ait meill yeirlie overheid fyve pundis pryce of the boll beir ten merkis.

Enclosed is a note of objections. Paper.

1271. 29th Jan. 1623. Extract Retour of Inquest held in the Tolbooth of Edinburgh on 29th January 1623 before James Chalmer, Alexander Dowglas and Mark Hamilton, three of the ordinary macers of the Lords of Council and Session, by John Earl of Mar, John Earl of Rothes, William Earl of Morton, John Earl of Cassillis, Alexander Earl of Linlithgow, John Earl of Perth, Robert Earl of Lothian, Robert Earl of Roxburgh, Walter Earl of Buckleuche, Thomas Earl of Melrose, John Lord Yester, Alexander Lord Elphingstoune, John Lord Torfechine, William Lord Cranstoun and John Lord Erskine, finding Charles Earl of Dunfermline lawful son and nearest and lawful heir of the late Alexander Earl of Dunfermline, his father, in the lands of Outhe, 5 seventh parts of the town and lands of Eist Barnes *alias* Grange, belonging to the late Gavin Douglas and William Lugtoune respectively, the lands of Morphiesfald with teind sheaves, the half of the lands of Lymekillis, with half of the houses, tenements and yards of Lymekillis, with the wair within the sea flood, and the east and west salt pans of Lymekillis, the lands of Lathalmund, the fourth part of North Foid, sometime belonging to Patrick Stanehous, the corn mill of Colzerraw, and two corn mills lying under the Monastery wall of Dunfermling called "lie Hewchemilnes," with the yard or orchard called

Sanct Lawrence yard, with coals, etc., the lands of Gresmureland and Cuningherland now called Bruntiland, with an annual-rent of twenty merks furth of the burgh of Bruntiland, and the heritable office of bailie and Justiciar of the lordship and regality of Dunfermline as well on the north as south parts of the water of Forth, and the heritable office of Constable of the Palace of Dunfermline, all erected into one free tenandry to be called in all time coming the tenandry of the Grange of Dunfermline; also in the lands of Pinkie and Carse in the lordship of Musselburghshire, regality of Dunfermline and shire of Edinburgh. Which lands are valued at the sums respectively therein specified; and which had been in the King's hands from the 16th June 1622 by the death of the said Alexander, late Earl of Dunfermline. (Written by Mr. Robert Paip, lawful son of Mr. John Paip, Writer to the Signet, notary public and clerk of the Sheriff and regality Courts in that part.) Extracted from the Court Books of the said Regality by the said Mr. John Paip.

1272. 1st Feb. 1623. Letters of Horning directed to Thomas Andersoun, messenger, at the instance of John Lord Hay of Zester, as collector of the 1st and 2nd terms' payment of the taxation granted to the King and his estates in the month of August 1621 for the ministrie of Peebles against his vassals, feuars and taksmen of the teinds of the said Ministry for not relieving the said Lord of the said taxation in the proportions following, viz., Andro Hay, writer in Edinburgh, for his 8 acres of land above the Croce Kirk of Peebles and the meadows called the King's meadows lying beside Peebles, for each of said terms 24s. 6d. Andro Small for his pleuch of land called the Kirkland of Ketnis for either of the said terms 9 pounds 7 shillings 8 pence. —— Halyburtoun of Pitcur for his part of the teind sheaves, parsonage and vicarage of the parish of Ketnis for either of the said terms 60 pounds 13 shillings 10 pence. —— Gray of Bandirrane for the teinds, parsonage and vicarage of the lands of Bandirrane, being part of the said Kirk of Ketnis, for either of said terms 5 pounds 15 shillings. William Blair of Bagillo for his teinds, parsonage and vicarage of the lands of Bagillo lying in said parochine of Ketnis for either of said terms 6 pounds 14 shillings, and Andro Small for his part of the teinds both parsonage and vicarage of the Kirk of Ketnis for either of said terms 20 pounds, within 20 days after being charged under pain of horning. Given under the Signet at Edinburgh 1st February 1623. Signet attached nearly all gone. Signed Ja. Prymrois.

Paper.

1273. 30th May 1623. Discharge by Archibald Prymrois, collector depute of the taxation granted to our Soverane Lord in the month of August 1621, to Lord John Hay of Yester, Sheriff of Peiblis, of the tax of the said Sheriffdom for the 2nd term, viz., £20 land of Tracquair £30, £40 land of Skerling £60, and by Mr. William Haig in name of said Lord £999, 15s., £103, 6s. 8d. for the ministers of Peiblis, £20, 13s. 4d. for the parsonage of Lyne, £20, 13s. 4d. for the provestry of Bothanis, £41, 6s. 8d. for the Kirk of Houstoun, £20, 13s. 4d. for the parsonage of Beltoun, and £3 for the 40s. land of Polgavie. At Edinburgh 30th May 1623. Witnesses, Andro Ker, servant to the Earl of Roxburgh, William Jamesoun, servant to the granter.

Signed. Paper.

1274. 4th July 1623. Precept from Chancery directed to the Sheriff of Fife upon an inquest made by Alexander Douglas, James Chalmer and Mark Hamilton, three of the ordinary macers before the Lords of Council and Session, for infefting Charles, now Earl of Dunfermling, as only lawful son and nearest heir male of the late Alexander Earl of Dunfermline, in the lands, lordship and barony of Urquhart and regality thereof, with teind sheaves and other teinds thereof, viz., of the lands and acres of Urquhart, Unthank, Loche, Finfane, Over Bumes, Neddir Bumes, Eister Bumes *alias* Hutcheoune, Maitles, and Hillis, Mawerstoune, Byres, Threipland, Wodeland, Overmest, Neddirmest,

Lewcharis, the mills of Urquhart, Millen, Craig, Downekintie, Monachtie, Forres, with mill lands, etc., with the multures wont to be paid to the prior and convent of Pluscardin within the Earldom of Murray, with fishings on the water of Innerspey, lie Corfhous, etc., the lands and barony of Fochabers, Ardedaroche, Farnen, Graingegrein, Muretoun, Moy, Grangehill, Farnuchtie, Peneit, Buchtali, with mill of Graingegrein and new mill of Dullpottie, salmon fishings on lie feith of Findhorne, and Farmannane, with teinds, etc., of the parish churches of Urquhart and Bellie, all lying within the lordship of Urquhart and sheriffdom of Elgin and Forres; the precentor's Manse of Murray, lying in the Cathedral church of Murray and regality of Spynie, the salmon fishing and lie Twynett with red fish and staillfische, the Kirklands of Haillis belonging to Mr. James Borthick, and all others comprehended in the Earldom of Dunfermline. Holding of the Crown in chief for payment of the duties therein specified. At Edinburgh 4th July 1623.

1275. 29th Oct. 1623. Notarial Instrument asked and taken by Patrick Veitch, commissary clerk of Peebles, in name of Lord Hay of Yester from John Mortoun, notary public, to the effect that Walter, John and Robert Stoddertis in Chapelhipe freely resigned to John Lord Hay of Yester 800 sheep younger and elder pertaining to them equally, 16 ky with ane bull and ane meir with ane foill pertaining to the said John, and 4 ky with their followers pertaining to the said Walter, with 80 sheep younger and elder pertaining to the said Walter, 80 sheep pertaining to the said John, and 40 sheep pertaining to the said Robert, presently pasturing on the lands of Newburgh and Chapelhipe. Also 4 new calffit ky with their followers and 20 yowis pertaining to the said Walter, pasturing upon the lands of ——, pertaining to Sir Robert Scot of Thirlestane, 16 ky with ane bull pertaining to the said John Stoddert wrongously intromitted with by Alexander Hunter, merchant burgess of Edinburgh, and 40 sheep younger and elder pertaining to the said Robert Stoddert, also pasturing on the said lands of Newburgh, etc., conform to Disposition made to the said Lord of the date hereof; and confessed that they were not compelled, seduced or coacted in the said Assignation and that it was not prejudicial to them, but to their singular behuif commoditie and profeit. Done at Dumfries in the house of Johnne Hairstanis, burgess of the said burgh, 29th October 1623. Witnesses, John Maxwell of Templand, Homer Maxwell of Speddoches, Archibauld Newall, burrow officer in Dumfries, John M'Kynnel, commissary officer there. Attested by John Morton, N.P.

Paper.

1276. 24th Nov. 1623. Contract between John Lord Hay of Yester on the one part and Maister Johne Hay, commoun clerk of the burgh of Edinburgh, whereby for 10,000 merks the former binds himself to infeft the latter in an annual-rent of 1000 merks out of his lands of Beltoun and Gilpallet, lying in the constabulary of Haddington and sheriffdom of Edinburgh, by two several infeftments, the one holding of the granter in free blench for payment of one penny yearly and the other from the granter of his superior in like manner—with clause of warrandice and penalty in case of failure; and the said Mr. John binds himself to grant Letter of Reversion containing the said principal sum. Dated at Edinburgh 24th November 1623. Witness, Mr. William Haig of Bomersyde, servitor to the said Lord, Mr. William Hay, son to the said Mr. Johne Hay, Johnne Bannatyne and Robert Dickiesone, servitors to the said Lord, and Robert Scott, servitor to Andro Hay, writer of the Contract. Signatures of parties cut out to denote cancellation. On back, Whitsunday 1626 payed and cancelled.

Paper.

1277. 24th Nov. 1623. Another copy of same Contract cancelled as above.

Paper.

1278. 6th Dec. 1623. Receipt by William Haig to Mr. Andro Cuninghame of 1200 merks in part payment of the fermes of Snaid crop 1622 and of the maills 1623. Dated at Edinburgh 6th December 1623. Restis 215 lib.

Signed. Paper.

1279. 1st Jan. 1624. Sasine by Walter Broun, one of the bailies of the Burgh of Musselburght, to Charles Earl of Dunfermline, Lord Fyvie and Urquhart, as lawfully served heir to the late Alexander Earl of Dunfermline, Great Chancellor of Scotland, of a piece of tail or rig and tenement of land; and first of that piece or tail called lie rig or taill sold by the late Mathew Wallange and Elizabeth Douglas, his spouse, to the said Alexander Earl of Dunfermline and Dame Margaret Hay, his spouse, annexed to the tenement of land of the said late Mathew Wallange, lying at the south end of the yard of the said tenement, between the lands of the said late Earl on the east, the rig or taill of Mr. George Nisbet, schoolmaster, and the common piece of waste land called the common balk on the west, High Street on the south, and the land with yard of the said late Mathew on the north. Reserving the liberty of the said rig or tail and tenement to the said Dame Margaret Hay. The bailie gave sasine thereof at the tenement of land, etc. sold to the said late Earl and his spouse by James Symsoun and Marion Hodge, his spouse, lying in the liberty of the Burgh of Musselburgh in the toun of Newbigging on the east side thereof, between the land of the late John Anderson on the north and the common vennel or High Street on the south. Sasine dated 1st January 1624. Witnesses, Mr. Robert Smyth, servitor to the said Dame Margaret Hay, John Calderwood, burgess and indweller in the said burgh, James Younger, burgess thereof and indweller in the toun of Fischerraw, David Hill and Thomas Sandersoun, officers of the said burgh, and Patrick Young, writer of the instrument, servitor to Richard Bennet, n.p. Richard Bennet, n.p., St. Andrews diocese per d.c. James Inglis, servitor and attorney for the said Charles Earl of Dunfermline. Registered at Edinburgh 26th February 1624. (P.R.S. Edinburgh, vol. 8, fol. 316.)

1280. 5th Feb. 1624. Disposition by John Gilleis, burgess of Peebles, with consent of Janet Wod, his spouse, to the Provost, Bailies and Council of the Burgh of Peebles, of a tenement of land "bak and foir under and above with the leauch hall, haill bak housis stables and zaird adjacent thereto," lying in the burgh of Peebles, on the north side of the Hie Streit thairof, foranent the samyn, betwixt the tenement of land and zaird now pertaining to James Hecfuird, smith burgess of Peebles, on the east, the Hie Streit of the said burgh on the south, the tenement of land bak and foir pertaining to the heirs of umquhile Alexander Dalmahoy on the west, and the zaird pertaining to —— on the north parts, in satisfaction of the sum of 541 merks 8 shillings 6 pence due by him of tak duty, conform to letter of Tack granted by the said Provost, Bailies and Council to him and Alexander Williamson, also burgess of the said burgh, of the 2 corn mills of the said burgh, with thirled multures, etc., at the yearly duty of 1253 merks, of date at Peebles the —— day of —— 162——. Excepting from this Disposition a right of wadset of —— of the said tenement made by him to John Lowis in Kirktoun for payment of the sum of —— due by the granter to him. (Written by Patrick Vaitche, common clerk of the said burgh.) At Peblis 5th February 1624. Witnesses, the said Alexander Williamson, Johne Robene and Thomas Willesone, burro officiaris, Gawin Dikesone, servitor to the said Patrick, and Alexander Williamsone, servitor to the said James Williamsone, provost. Granters sign by Patrick Vaitche, notary, because they cannot write. Attested by William Vaitche, notary.

Signed. Paper.

1281. 9th June 1624. Bond by John Lord Hay of Yester as principal and Mr. George Buttlar of Kirktoun of Boltoun as cautioner to Mr. George Greir, minister of Godis Word at Hadingtoun, for his lifetime, and after his deceis to Issobell Greir, his lawful daughter, and their heirs for 4000 merks. Secured by an annual-rent of 400 merks out of the said Lord's lands and heritage most commodious and pleasabill to the said Mr. George and his daughter. (Written by Alexander Blair, servitor to Antone Quhyte, W.S.) Dated at Edinburgh 9th June 1624. Witnesses, Mr. William Haige and James Wallace, servitors to the granter, and said Alexander Blair to the subscription of the said Lord Hay, and Mr. Alexander Carmichaell and the said Alexander Blair, servitors to the said Antone Quhyte, to the subscription of Mr. George Butlar. Signature torn out to denote cancellation. *Endorsed.*—This Band peyed 16th April 1627 at Hadingtoun in Andro Hay his hous.

Paper.

1282. 27th Nov. 1624. Compte made with Andro Cuninghame for the dewty of Snaid. Also, on back—Compte made with Andro Cunyngham for said lands, 24th November 1625.

Paper.

1283. 5th Dec. 1624. Precept of Clare Constat by John Lord Hay of Yester directed to William Cokburne, merchant burgess of Hadingtoun, for infefting Mr. Alexander Home as lawful and nearest heir of the late Alexander Home of St. Leonardis, his father, in the carucates of Baro, extending to four husband lands or thereby, viz., that half carucate of land of the late Alexander Coci, that half carucate of land of Adam Lumbard and four particates of land in Crumbestroder, now called Crumbesydemyre, with houses, etc., lying in the town and territory of Baro, barony of Duncanelaw, sheriffdom of Edinburgh and constabulary of Hadingtoun. At Bothanis 5th December 1624. Witnesses, Mr. James Mitchelsone, minister at Bothanis, Mr. William Haig, James Wallace and John Bannatyne, servitors to the granter. (Written by Alexander Aikenheid, servitor to Andrew Hay, W.S.)

Signed. Damaged.

1284. 6th Dec. 1624. Sasine following on Precept of Clare Constat (No. 1283), dated 6th December 1624. Witnesses, George Geddes in Barro, Patrick Garnar there, Thomas Home, servitors to Mr. Alexander Home, and Robert Thomesone, "lanatore," burgess of Hadingtoun. Alexander Symsone is notary. (Registered in P.R.S. Edinr., at Edinburgh 7th December 1624, vol. 9, fol. 317.)

1285. 30th Dec. 1624. Extract Letters of Horning at the instance of James Porteous, servitor to Robert Alexander, writer, against Thomas Porteous of Fruid as principal and Harie Tuedie of Daeboig as cautioner for not payment of 440 merks with fifty pounds expenses, contained in Bond granted by the saids Thomas and Harie to the said James, of date 18th June and 4th December 1623. At Edinburgh 27th November 1624, with Execution by William Veitche, messenger, of date 11th December 1624. Witnesses to execution, Stein Alexander, messenger, and James Wallace, burgess of Peebles; and because the saids Thomas and Harie have disobeyed the charge of the said Letters, the said messenger on 30th December 1624 denounced them rebels and put them to the horne, in presence of Archibald Frank and Thomas Crawfurd, notaries in Peebles. Registered at Peebles 30th December 1624 in the Sheriff Court Books of Peebles and extracted therefrom by Patrick Veitche, clerk of the same.

Paper.

1286. 7th March 1625. Instrument of Resignation by Johne Gilleis, burgess of Peebles, in the hands of James Williamsone, proveist, Alexander Mure and Johne Lowis, bailzies of the said burgh, and Thomas Tuedie, thesaurer thereof, for themselves and in name of the rest of the Council of the said burgh of Peebles and their successors in office as superiors, of his tenement of land, back and foir, under and above, with the leauch hall, bakhouss, stabillis and yaird adjacent thereto, lying within the burgh of Peebles, on the north side of the hea streit of the samyn foiranent the mercat croce theirof, betwixt the tenement and yaird perteining to James Hecfurd and remanent airis of umquhile Johne Mosman, burgess of the said burgh, on the east, the hie streit of the said burgh on the south, the tenement and lands perteining to the airis of umquhile Alexander Dalmahoy on the west, and the yaird pertaining to Paull Robesone, also burgess of Peebles, on the north parts; conform to Disposition granted by the said Johne Gilleis to the said Provest, Bailies and Council of date at Peebles 5th Februar 1624. Done upon the ground of the said tenement and within the foirbuith and leauch hall of the same at 10 hours in the morning, 7th March 1625. Witnesses, Gilbert Williamsone, merchant burgess of Edinburgh, William Tait, saidler induellar in Peblis, Thomas Hope in Over Kidstoune, and Alexander Williamsone, burgess of Peblis. Patrick Vaitche, n.p. dio. Glasg. a.r.

1287. 21st April 1625. Tack by John Lord Hay of Yester to William Smyth in Lynplum of the Castell Maynes of Yester with teind sheaves thereof, presently occupied by him with houses, etc. (excepting tua aikaris of officer land with tua sowmes gers thereto, the milnelands and sowmes gers thereof and malt manes land and sowmes gers), lying in the lordship of Yester, constabulary of Hadintone and sheriffdom of Edinburgh, for 9 years from Whitsunday 1624; paying yearly of tack duty 12 chalder victuall and 3 dozen fowls. Providing that the said William shall "saw ane brek of land of peis upone that shot of land sall fall to be peis that yeir of the expyring of his tak extendand to tuelf bollis peis and to leif ane —— breck of brome uncute at the ische of his tack, and also the haill stray sall grow upon the ground of the said lands to the said Lord. (Written by William Hay, notary.) Dated at Bothans 21st April 1625. Witnesses, Robert Dikesone, servitor to the said Lord, Alexander Smyth, Murtoun, brother to the said William Smyth, and said William Hay, notar at Bothanis.

Signed. Paper.

1288. 3rd May 1625. Discharge by Mr. James Michelsoune, minister at Bothanis, to John Lord Hay of Zester for 500 merks of stipend for the year 1623. Dated at Bothanis 3rd May 1625. Witnesses, Robert Dikisone and James Wallace, servitors to said Lord. Holograph of the granter.

Signed. Paper.

1289. 11th and 13th May 1625. Contract between Mr. Alexander Home of Sanct Leonardis for himself and taking burden on him for Jean Hepburne, his spouse, and Gavin Home, his brother, on the one part, and John Daill, merchant burgess of Edinburgh, and Barbara Harlaw, his spouse, on the other part; whereby for the sum of 7000 merks the said first party dispones to the said second party that carucate or portion of the lands of Barro extendng to four husband lands or thereby, viz., that half carucate of land which sometime pertained to Alexander Cok or Cuik, and that other half carucate which pertained of before to the late David Lumbard, and these four particles of land in Crumbestroder now called Crumsydmyre, lying in the town and territory of Barro, barony of Duncanlaw, constabulary of Hadingtoun and shire of Edinburgh, and the lands called the Maylands, with mansion house, etc., in the said town and territory of Barro as principal, and the sony half of the said Mr.

Alexander Home's lands of Spittell *alias* Sanct Leonardis, lying in the bailliary of Lauderdaill and shire of Berwick, in special warrandice, and bind themselves to infeft the said John Daill and his spouse therein by two manners of holding, the one of the said Mr. Alexander Home in free blench for payment of one penny, and the other from the said Mr. Alexander of his superior, and for that effect have constitute procurators for resigning the said subjects in Barro and Crumsydemyre in the hands of John Lord Hay of Yester, superior thereof, and the lands of Maylands in the hands of Thomas Earl of Kellie, superior thereof. At Edinburgh 11th and 13th May 1625. Witnesses, Andro Hay, writer, Alexander Aikinheid, his servitor, Thomas Home, merchant in Edinburgh, and John Home, son to John Home, merchant burgess there.

Signed. Paper.

1290. 13th May 1625. Charter by Master Alexander Home of St. Leonards, with consent of Jean Hepburn, his spouse, and Mr. Gavin Home, his brother, in favour of John Daill, merchant burgess of Edinburgh, and Barbara Harlaw, his spouse, of the lands called the Mayland, with mansion, etc., lying in the town and territory of Barro, constabulary of Hadington and shire of Edinburgh, conform to Contract No. 1289. Holding of Thomas Earl of Kellie, paying therefore yearly ten shillings scots and doubling said duty at the entry of each heir. (Written by Andro Hay, writer.) At Edinburgh 13th May 1625. Witnesses, Thomas Home, merchant in Edinburgh, John Home, son of John Home, merchant burgess of the said burgh, the said Andro Hay and Alexander Aikinheid, his servant, with Precept directed to Alexander Daill in Rottinraw of Lethame, bailie.

Signed. Seal gone.

1291. 13th May 1625. Charter by Master Alexander Home of Sanct Leonards with consent of Jean Hepburn, his spouse, and Gavin Home, his brother, in favour of John Daill, merchant burgess of Edinburgh, and Barbara Harlaw, his spouse, of subjects described in No. 1289. Holding of the granter in free blench ferme, fee and heritage, for payment of one penny yearly. (Written by Alexander Aikinheid, servitor to Andrew Hay, Writer to the Signet.) At Edinburgh 13th May 1625. Witnesses, Thomas Home, merchant in Edinburgh, John Home, son of John Home, merchant burgess of the said burgh, and the saids Andrew Hay and Alexander Aikinheid. Alexander Daill in Rottinraw of Lethame is bailie.

1292. 13th May 1625. Charter by Mr. Alexander Home of St. Leonards in favour of John Daill, merchant in Edinburgh, and Barbara Harlaw, his spouse, of subjects as in No. 1289. Holding from the granter of John Lord Hay of Yester in free blench ferme for the duties therein specified. At Edinburgh 13th May 1625. Witnesses as in preceding Charter.

1293. 18th May 1625. Sasine following upon the foregoing Charter No. 1291, dated 18th May 1625, of the principal lands therein mentioned. Witnesses, Andrew Hay, lawful son of the late Andrew Hay, brother of the late Laird of Lynplum, George Scott, burgess of Lauder and servitor to Mr. Alexander Home of St. Leonards, John Williamson, indweller in Edinburgh, William Daill, portioner of Barro, George Geddes there, and Richard Ewart in St. Leonards. Alexander Daill in Rattounraw of Lethame is bailie, Andrew Hay is notary. Registered at Edinburgh 15th June 1625. (G.R.S., Vol. 17, fol. 229.)

1294. 18th May 1625. Sasine following upon Charter No. 1290, dated 18th May 1625. Witnesses, bailie and notary as in No. 1293. Registered at Edinburgh 15th June 1625. (G.R.S., Vol. 17, fol. 228.)

1295. 18th May 1625. Sasine following upon No. 1291 of both the principal and warrandice lands therein contained. Date, witnesses, bailie and notary as in No. 1293. Registered 15th June 1625. (G.R.S., Vol. 17, fol. 230.)

1296. 18th May 1625. Sasine following upon No. 1290 of the warrandice lands therein contained, dated 18th May 1623. Witnesses, bailie and notary as in No. 1293. Registered 15th June 1625. (G.R.S., Vol. 17, fol. 233.)

1297. 18th May 1625. Extract of No 1294. Signed by Mr. Francis Hay, Depute Clerk Register. Paper.

1298. 18th May 1625. Extract of No. 1293, also signed by Mr Francis Hay. Paper.

1299. 5th June 1625. Copy Tack by John Lord Hay of Yester to Alexander Smyth and his heirs of the lands of Kirkbank, with teind sheaves and the gres and pasturage of that piece of land called Mariounes bank, all lying in the parish of Bothanis, constabulary of Hadingtoun and sheriffdom of Edinburgh, for 5 years, paying therefor yearly 40 boll victuall. Dated at Neidpeth Castle 5th June 1625. Witnesses, Robert Dikesone, John Ballentyne, servitors to the granter, and Patrick Vaitche, writer of the Tack.

Unsigned. Paper.

1300. 21st June 1625. Ratification by Mr. James Hay of Baro, son and heir of the late Mr. William Hay of Baro, of an Assignation granted by his said father to Mr. Alexander Hay therein designed, his second lawful son, of a Tack, No. 1107. (Written by the said Mr. Alexander Hay.) At Cannogait 21st June 1625. Witnesses, James Gutherie, servitor to the Ladie Dunfermline, and Archibald Edmonstoune, servitor to the granter.

Signed. Paper.

1301. 29th June and 6th July 1625. Renunciation by William Home, eldest lawful son and heir at least apparent heir of umquhile Abraham Home in Home, with consent of Margaret Home, his mother, and John Murdo, now spouse of the said Margaret, and also with consent of Jean Elizabeth, Agnes and Margaret Homes, lawful daughters of the said umquhile Abraham, Patrick Home of Law, husband to the said Jean, and Richard Smyth, spouse to the said Elizabeth, in favour of Master Alexander Home, now of St. Leonards, son and heir of the late Alexander Home of St. Leonards, of the lands of Barro extending to five husband lands lying in the town and territory of Barro, barony of Duncanlaw, constabulary of Hadingtoun and shire of Edinburgh, wadset to the said Abraham and his spouse by Christopher Home, portioner of Barro, and the said deceased Alexander Home of St. Leonards, for 1000 pounds scots, with a five years' tack after the redemption thereof for the yearly duty of 100 pounds, conform to Contract between them of date 27th June 1599; and of an annual-rent of ten bolls beir furth of the said lands, wadset by the said late Alexander Home of St. Leonards and Marion Home, his spouse, to the said Abraham and his said spouse for 1000 merks, conform to Contract between them dated at Bassinden 24th October 1600; now both redeemed by the said Alexander Home, now of St. Leonards. (Written by Alexander Aikinheid, servitor to Andro Hay, writer.) At Edinburgh and Home 29th June and 6th July 1625. Witnesses, Thomas Home, merchant in Edinburgh, John Home, son to Johanne Home of Scheilfeild, George Home, servitor to the Ledie of the Law, Alexander Aikinheid foresaid and —— Burnet, servitors to Andro Hay,

writer, George Scot, servitor to the said Mr. Alexander Home, Abraham Home in Hirsill, William Home in Huntlie and Patrick Hair in Home. Registered at Edinburgh 6th August 1625. (P.R.S. Edinr., x, 189.)

Signed. Paper.

1301A. 30th June 1625. Item ane precept of Clare Constat be the said Thomas Earle of Melros, superior of the lands of Hopcartone, and uthers above and underwrittne to the said David Murray of Halmyre ffor infefting and seasing of him as aire to the said umquhile Jon. Murray of Halmyre, his father, in the forsaids landis of Hopcartone witht the pertinentis, daittit last Junij 1625 yeirs. Item ane instrument of seasing following upon the forsaid precept, and conteining the same therin to the said David Murray of the lands abovewritne, daittit 8 August 1625 yeirs, under the signe and subscriptione of Mr. Jon. Adamsone, notar publict; registrat in the generall registre, etc., September. (Nos. 70 and 71, 1674 *Drumelyier Inventory.*)

1302. 10th July 1625. Rycht assurit goud frend my dewtie rememberit pleis yow ressawe the *maiser* lettris and executioune thairof I requeist zow sie him exsemeit vpon all the poynt of the lebell for the lebell anent his promeisse is dewydit in twa the ane at the making of the band and the other to me efter the discherging thairof asse the lebell makis mentioune me lord thoucht I neidit not com for ye sieing him exsemit I will perswad zow hie will do quhat he can to sawe his awthe thairfoir geife neid be send ether word with the beirar than ane boy and vpon ane houris advertysement I sall com vith all haist so maist humlie intreiting zow to remember Gorg Kerris bussines vith Mr. Lowisse anent the spoltheatioune of the horsse and the adwocatioune asse as ye think maist expedient maist humelie I tak my leve recommending zow to Godis protectioune.

Your serwitor to
pouer
Andro Cuninghame.

Dardaroche the
tent day of July 1625.

Lykwayis according to my lord derrictioune resawe his lest varneing of the barony of Snaid.

The Minut of the Executionnis Andro Woll offecer lawlie warneit vpon the Fryday efter passche Andro Cunyghame of Birkshaw fre the Fleichtthlark and Birkshaw, Andro Wollsoun in Lagand Johne Dallreumpell of Wattersyd, Villieane, Wallker and Johne Wollsoune his tenentis for the markland of Moffatstoune and the xv s land of Lagand, John Mowlliegane, Andro Makconnell, Edvert Makgoune, Gilbert Funand, fre the xls land of Achinfaddrrick, Cuthbert Cunyghame fre the markland of Schaw, Agnnowsse Maxwell and Gilbert Greir fre the merkland of Gillmerstoune, Edwert Hallyday fre the markland of Busse. Witness heirto, Willieame Edgher, servitor to Andre Cunyghame, and James Mathesoune in Dardaroche vpon the Sonday efter pashe the said Andro Woll red the coppie of the prencipall varneing and upon the Kirk dor left ane coppie thairoffe.

Witnes herto Andro Cunyghame in Dardaroche, Thomas Rorriesoune at Brygend of Glenietayne and James Mathiesoune in Darderoche.

Endorsed.—To my werrie worthie honoret and his assureit guid frend Mr. Gorg Butler off Blause. This.

1303. 18th July 1625. Letter of Inhibition at the instance of John Lord Hay of Yester against the feuars, tenants and tacksman of the parish of Bothans for securing to the complainer the teinds sheaves, etc. of the said parish, which were assigned to him by James Hay in Yester, who had a Tack thereof from John Herreis, proveist of the College Kirk of Bothanis. Dated at Edinburgh 18th July 1625, signetted 19th July 1625.

Paper.

1304. 16th Sept. 1625. Tack by John Lord Hay of Yester to Adam Storie and Mariane Storie, his sister, in Boltoune milne, of the lands of Kirkbank, with the teind sheaves thereof and the gerse of that pise of land callit Marianes bank with the walkmylne aikeris ane hous and yaird at the toun end of Duncanla occupied by ——, lying in the lordship of Yester, constabulary of Hadingtoun and sheriffdom of Edinburgh ; reserving to the granter (these parts of the said lands of Kirkbank already dykit and ordanit to be dykit and laid in henning for his Lordship's Park and twa sowmes gers), for the space of 5 years ; paying therefore yearly 40 bolls victual half meill, half beir of the measure of Hadingtoun, and two dozane kain fowls, and to bring yearly to the place of Bothanis tua cartfull of coills dated at Bothanes 16th September 1625. (Written by John Geddes, son to William Geddes in Duncanla.) Witnesses, Mr. Alexander Hay, son to Mr. Thomas Hay, Commissar of Glasgow, John Bannatyne and John Mader, servitors to the said Lord.

Signed. Paper.

Endorsed.—1629, October 5th.—Surrender by saids Adam and Marioun Stories in Kirkbank to John Lord Hay of Yester of the said Tack as they were unable to keep the conditions thereof. (Written by Mr. Alexander Hay, his Lordship's servitor.) Dated at Bothanes 5th October 1629. Witnesses. William Geddes in Duncanlaw, John Geddes, his sone, John Yuill in Braidwodsyd, William Hay, schoolmaster in Bothanes, and David Browne, servitor to Lord Yester. Marion Storie signs by William Hay, notary.

Signed. Paper.

1305. 17th Sept. 1625. Tack by John Lord Hay of Yester to Adame Storie and Marioun Storie, his sister, in Boltoun, of the lands of Kirkbank with teind sheaves therof, with the gers of that piece of land called Marianes bank and 4 acres of land called Walkmilneland and the houses and yard at the toun end of Duncanla occupied by ——, lying in the lordship of Yester, constabulary of Hadingtoun and sheriffdom of Edinburgh ; reserving to his Lordship that part of Kirkbank already dykit and ordained to be dykit and laid in haining within his park for the space of 5 years, paying yearly therefor 40 bolls victuall. (Written by Johne Geddes, sone to Williame Geddes in Duncanla.) Dated at Hadingtoun 17th September 1625. Witnesses, William Geddes in Dunkenlaw, Johne Welandis, messenger, Mark Cokburne, baxter burgess of Hadingtoun. Marion Storie signs by John Thomsone, notary : attested by William Hay, notary. Signed by Adam Storie ; Lord Yester does not sign.

Paper.

1306. 30th Nov. 1625. Discharge by Mr. John Hay, comoun clerk of Edinburgh, to John Lord Hay of Yester of 500 merks, as the annual-rent of 10,000 merks from Whitsunday to Martinmas 1625. Dated at Edinburgh 30th November 1625. Witnesses, Alexander Paterson and James Philip, servitors to the granter.

Signed. Paper.

1307. —— —— 1625. Factory by John Lord Hay of Yester to Mr. James Bannatyne of Newhall, one of the Commissaries of Edinburgh, for uplifting the teinds, etc. of the lands of Newhall, viz.: Ballangruge, Howdoun, Hanmercroce, Woodhead and Woodfute, lying in the constabulary of Hadington and shire of Edinburgh, for the year 1625, to the use and behoof of the said Mr. James. He paying therefor 26 bolls aitts, 18 bolls thereof inffield and 18 bolls outfield with 18 bolls beir. (Written by Mr. Thomas Bannatyne, eldest lawful son to the said Mr. James.) Dated at —— the —— day of —— 1625. Witnesses, —— ——.

Unsigned. Paper.

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